

# A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 9

9.21 Applicant's Comments on Written Representations

Planning Act 2008

Rule 8 (1)(c)(i)

Infrastructure Planning (Examination Procedure) Rules  
2010

October 2021

## Infrastructure Planning

### Planning Act 2008

#### **The Infrastructure Planning (Examination Procedure) Rules 2010**

### **A428 Black Cat to Caxton Gibbet improvements Development Consent Order 202[ ]**

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#### **9.21 Applicant's Comments on Written Representations**

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<b>Regulation Reference:</b>	Rule 8 (1)(c)(i)
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# 1 Introduction

- 1.1.1 The Development Consent Order (DCO) application for the A428 Black Cat to Caxton Gibbet improvements scheme (the Scheme) was submitted by Highways England to the Secretary of State for Transport via the Planning Inspectorate on 26 February 2021 and accepted for Examination on 23 March 2021.
- 1.1.2 The purpose of this document is to set out the Applicant's comments on the Written Representations (WRs) received from Interested Parties. These WRs were published on the Planning Inspectorate website on 2 September 2021.

## 2 Applicant's Comments on the Written Representations

### REP1-037 Abbey Developments Cambridgeshire Limited

Reference Number	Written Representation/Applicant Comment
REP1-037a	<p>Further to our previous submission of 10th June 2021 we would also like to comment on the Highways England proposals for the Caxton Gibbet Roundabout which are shown on the General Arrangement Plans Regulation 5(2)(O) Sheet 14 dated 05/02/21. The plan shows right turn lane facilities for the Service Area (which we own) and the Self Storage/Agricultural Access would be removed. This would be contrary to CD123 Guidance for the Services Access arrangements.</p> <p>The provision of an uncontrolled pedestrian refuge on a 50mph road also does not comply with CD143 guidance. In addition, customers to the Services Area turning right in would have to cross the hatching provided to the south of the refuge.</p> <p>The access proposals for the Caxton Gibbet Services area are inadequate and contrary to Highways England own design standards. The siting of the pedestrian refuge and crossing provision are also unacceptable. These need to be reviewed and the right turn lane facilities for the Service Area and junction to the south maintained. We remain in dialogue with the project team in respect of signage and CPO land.</p>
Applicant Comment	<p>The Applicant confirms that the right turn lane will be retained for access into the Service Area. The Applicant is unaware of a Self-Storage/Agricultural Access that is to be removed by the Scheme. If the Interested Party is referring to the access at the rear of the Service Area off Cambridge Road, the Applicant can confirm that this access will not be stopped up.</p> <p>The Applicant has proposed that an uncontrolled crossing with a pedestrian refuge is provided. This is an improvement on the current facilities; however, this provision will be reviewed as part of the detailed design in consultation with the local highway authority. A signalised crossing may be provided.</p> <p>Please refer to RR-001a and RR-001b set out within the Applicant's Response to Relevant Representations <b>[REP1-021]</b> for the Applicant's position with regards to signage and compulsory acquisition respectively.</p>

## REP1-038 ADL Traffic and Highways Engineering Limited

Reference Number	Written Representation/Applicant Comment
REP1-038a	<p>ADL Traffic and Highways Engineering Ltd have been appointed by McDonald's Restaurant's Ltd to make this Written Representation to demonstrate the impacts of the Highways England proposals for the A428 Black Cat to Caxton Gibbet improvement scheme would have on two existing McDonald's restaurants with drive thru facilities located at Caxton Gibbet Services (store #1416) and Wyboston (store #543).</p> <p>The Highways England access proposals for the Services at Caxton Gibbet are inadequate and do not comply with the appropriate design standards. The right turn lane for the Services and the Access Road to the south should be reinstated. The proposed pedestrian refuge should also be reconsidered.</p> <p>No signage plans have been provided to demonstrate how motorists will be informed in their decision making to visit the Services. No signage plans have been provided to support the Highways England proposal alterations to the egress of the Services at Wyboston. No information has been provided to demonstrate that customers will be informed on the egress route back to the A1 or that appropriate signage will be provided to ensure that customers do not try and access the restaurant via the new link.</p> <p>It is concluded that these aspects of the Highways England proposals are not acceptable in their current form and therefore the Planning Inspectorate should not allow this application until these matters have been suitably addressed.</p>
Applicant Comment	<p>The Applicant confirms that the right turn lane will be retained for access into the Service Area at Caxton Gibbet as described in the Applicant's Response to Relevant Representations RR-070b <b>[REP1-021]</b>.</p> <p>The Applicant has proposed that an uncontrolled crossing with a pedestrian refuge is provided. This is an improvement on the current facilities; however this provision will be reviewed as part of the detailed design in consultation with the local highway authority a signalised crossing may be provided.</p> <p>Please refer to RR-070a set out within the Applicant's Response to Relevant Representations <b>[REP1-021]</b> for the Applicant's position with regards to signage.</p> <p>The Applicant proposes a prohibition of vehicular users from Black Cat junction circulatory to the service area at Wyboston via the A1 Services Link. This route is for users leaving the service area only, any specific signage including the A1 Services Link will be considered as part of detailed design, as set out within the response to RR-070a within the Applicant's Response to Relevant Representations <b>[REP1-021]</b> Applicant Response .</p>

## REP1-045 Bedford Borough Council

Reference Number	Written Representation/Applicant Comment
REP1-045a	<ol style="list-style-type: none"> <li>1. This written representation is submitted on behalf of Bedford Borough Council (the 'Council') in response to the application by Highways England Company Limited ('Applicant') for the A428 Black Cat to Caxton Gibbet Road Improvement scheme ('DCO'). The DCO seeks development consent for the authorised development described in Schedule 1 to the DCO and any other development authorised by the DCO (Scheme).</li> <li>2. The Council's owns 66 acres of land at Black Cat Roundabout, Great North Road, Roxton held in title P128267, Z1440Z, Z1441Z, Z1444Z (the 'Land').</li> <li>3. These written representations are made in the Council's capacity as landowner of the Land only. The Council's wider position in respect of the Scheme is set out separately. <u>Written Representations</u></li> <li>4. The Council's position is substantially set out in the Relevant Representations submitted on 9th June 2021 which is attached as Appendix 1.</li> <li>5. Part of the Land has potential for a sustainable commercial development approximately located at Plot 1/8q of the DCO. The Council seeks agreement with the Applicant for safeguards and protective provisions which are summarised as follows: <ul style="list-style-type: none"> <li>• Assurances that future access to the Land and this development potential is not sterilised by the new Blackcat Roundabout layout and this is capable of accommodating development at the Land. This relates to the layout of the access relative to the new Blackcat Roundabout, as well as confirmation the Council's retained Land will directly abut the public highway (obviating the need for a right of way).</li> <li>• Assurances in respect of the restoration and condition of Plot 1/8q on return following temporary acquisition. The Land is subject to existing aftercare remediation planning conditions following quarry use, liability for which currently rests with the Council's Tenant. The Tenancy is coming to an end and may be outlasted by the Applicant's Temporary Possession of this plot. The Council seeks understanding of the effect of the Scheme on the tenancy and planning obligations, and an indemnification from the Applicant for any restoration liability created due to the Scheme.</li> </ul> </li> </ol>

Reference Number	Written Representation/Applicant Comment
	<ul style="list-style-type: none"> <li>The Council also requires Protective provisions for satisfactory drainage of its retained Land following the completion of construction of the Scheme.</li> </ul> <p>6. The Council objects to the compulsory purchase of approximately 12 hectares of Land identified for flood mitigation (Works No. 24 of the draft DCO). The Council is ready to engage with the Applicant to seek to reach agreement to grant temporary possession and of rights or covenants to deliver Works No. 24 without compulsory acquisition being necessary (subject to being indemnified by the Applicant against any remaining quarry aftercare liabilities) and awaits detail of the Applicant's detailed plans in order to progress discussions.</p> <p>7. The Council also considers the example 'The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transport Order' (2013) (Order no. 3244) is relevant. The Order authorised works for "Flood mitigation works and construction working area" (Work No. 1A) comprising lowering ground levels to create a large area of flood compensation at Land south-east of Long Ashton Park and Ride (plot 02A/03). The authorised works were secured by power of temporary possession only, without recourse to compulsory acquisition.</p> <p>8. The Council and its representatives met with the Applicant on 24th June 2021, where the Applicant agreed to a number of actions to progress a potential agreement between the Parties which addresses the Council's concerns.</p> <p>9. The Council has not heard further from the Applicant since 24th June 2021.</p> <p>10. The Council notes the Applicant's DCO Statement of Reasons Appendix B refers to the progress of negotiations with affected parties, and in respect of Bedford Borough Council states: <i>"The Applicant issued an offer of negotiations letter on the 18th September 2020, inviting the land interest to complete and return a form expressing their willingness to discuss the acquisition of their land by agreement. To date the form has not yet been returned."</i></p> <p>11. In fact, the parties met on 22 September 2020, and the Council and their agents have been chasing the Applicant regularly in order to achieve meaningful progress in discussions, which to date remains outstanding.</p> <p>12. The Council urges the Applicant to now urgently accelerate engagement in order to seek to reach agreement without recourse to exercise of compulsory powers.</p>



Reference Number	Written Representation/Applicant Comment
Applicant Comment	<p>The Applicant can confirm that an access is proposed off the Black Cat junction circulatory to the Interested Party's land. The private means of access (7) is shown on Sheet 1 of the Streets, Rights of Way and Access Plans <b>[APP-013]</b> and will abut up to the highway.</p> <p>The Applicant will seek to continue discussions with the landowner on the condition and handover of Plot 1/8q on completion of the works.</p> <p>The Applicant is continuing to engage with BBC in relation to the protective provisions so far as they relate to their role as a drainage authority.</p> <p>The Applicant has suggested entering into an option agreement with Bedford BC, and has subsequently sent a draft option agreement for their consideration on 10 September 2021. Following Bedford's response, the Applicant will continue to engage constructively and attempt to agree terms where possible. The Applicant has responded to the Interested Party's (IPs) query on the land identified for flood mitigation noted as Works No. 24 of the draft DCO) <b>[APP-025]</b> within Response RR-008bd of the Applicant's Response to Relevant Representations <b>[REP1-021]</b> submitted at Deadline 1 into the Examination.</p>

## REP1-046 Bletsoes on behalf of Croft & Sons

Reference Number	Written Representation/Applicant Comment
REP1-046a	<p>We represent the interests of Michael Croft, Neil Croft and Joyce Croft T/A C Croft &amp; Sons as occupiers of land affected by the A428 scheme. On behalf of our client, we are instructed to make written representations in addition to the representations made on 9th June 2021 via the Planning Inspectorate's website. Representations are made without prejudice to making further objections/representations at a later stage for different reasons, or to amplify these representations.</p> <p>We have reviewed the plans included within the Developer's application insofar as they relate to our client and these representations are based upon the information contained therein. The proposed scheme affects land occupied by C Croft &amp; Sons located to the west of Black Cat Roundabout on the north and south side of the A421. Based on the information available part of the land to the north of the A421 has been identified as permanent acquisition and the land to the south of the A421 has been identified as temporary acquisition.</p> <p>The proposed scheme affects the main entrance to the land located to the north of the A421. The existing access to this land is via a gate adjacent to the Travel Lodge which is included within the permanent acquisition. Once the new scheme has been developed, it appears that the remaining area of this land will be accessed off the new link road between 'Roxton Road' and 'The Lane'. It is important that this access is as equally commodious as the existing access, and is at a similar level to the finished road level to allow for a safe and efficient operation when exiting the access point with heavy loads and restricted maneuverability such as tractors, sprayers and combines. The land identified also benefits from an existing land drainage scheme and appropriate arrangements should be put in place to provide for, and deal with the continuation of the existing land drainage scheme, so as not to impact the drainage of the remainder of the field to the north.</p> <p>The land located to the south of the A421 has been identified a temporary acquisition, this land should be reinstated to its former condition and level before being returned back to the landowners.</p> <p>We require further details on the proposed accommodation works to ascertain the full impact on my client's leasehold interest. As a minimum, our client requires commodious access, post scheme land drainage, and fencing and hedge of boundaries to mitigate the detrimental affect of this scheme.</p>

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Applicant Comment	<p>Please refer to the Applicants responses to RR-011 Henry H Bletsoe &amp; Son LLP on behalf of C Croft &amp; Sons contained in the Applicant's Response to Relevant Representations <b>[REP1-021]</b>, submitted at Deadline 1.</p> <p>The Applicant will look to return land temporarily acquired for the construction of the Scheme to its former level and in an equivalent condition to that prior to commencement of the works.</p> <p>Regarding the reinstatement of land temporarily acquired for the construction of the Scheme, the Environmental Actions and Commitments register contained within the First Iteration Environmental Management Plan <b>[APP-234]</b> includes the commitment ESS – GS1, which states that the '<i>Principal Contractor will implement the requirements for soil reinstatement, monitoring, and aftercare as detailed in the outline Soil Management and Handling Plan presented in the First Iteration EMP...</i>'.</p> <p>The outline Soil Management and Handling Plan within Annex E of the First Iteration Environmental Management Plan <b>[APP-234]</b> outlines the procedures and techniques that will be followed and applied during the stripping, movement, storage and reinstatement of soil resources during construction of the Scheme, including soils of agricultural grade.</p>

## REP1-048 Cambridgeshire County Council/Huntingdonshire District Council/South Cambridgeshire District Council

Reference Number	Written Representation/Applicant Comment
REP1-048a	<p><b>2. TRAFFIC MODELLING</b></p> <p>2.1 The Councils have concerns with the methodology used for the traffic modelling, in particular:</p> <p>2.1.1 Some traffic flows and routing in the base and forecast year strategic models appears unrealistic and insufficient information has been supplied to CCC as the local highways authority (<b>LHA</b>) to enable it to be checked. In particular, the Applicant has provided a cordoned traffic model, which does not allow routing to be checked against the larger area model. The key routes of concern are detailed at sections 2.3.1 to 2.3.3 below.</p> <p>2.1.2 Modelled traffic flows highlight areas of concern in relation to the local road network. In addition, some consequential impacts on the local road network need to be assessed for the effects on the local network and communities to be understood. The key construction traffic flows of concern are detailed at sections 2.4.1 to 2.4.7 below.</p> <p>2.1.3 Strategic model flows have been used directly to build the local junction models, but these flows have not been validated for this purpose. Strategic model flows are not sufficiently detailed to allow accurate representation of existing conditions or modelling of flows at local junctions, resulting in effects being diluted.</p>
Applicant Comment	<p>The Applicant notes that the issues relating to traffic modelling that are set out in the Written Response prepared by the joint authorities, have previously been discussed at the Local Technical Review Group (LTRG) meetings with CCC, that took place between May and July 2021. Responses to these queries have been provided by the Applicant and are recorded in an issues log, the latest version of which is dated 10 August 2021. Note that the issues log is not an examination document, but used as a means of understanding the status of detailed topics under discussion.</p> <p>The Applicant's responses to the issues raised within the Written Representation is therefore based upon the information that has been made available to CCC through the LTRG meetings.</p> <p>The Applicant's comments on the concerns raised relating to routeing are detailed in section 2.3 (refer to response to issues 2.3.1, 2.3.2 and 2.3.3.) below.</p> <p>The Applicant's response to the issues raised relating to impacts on the local road network are addressed in section 2.4 (refer to response to issues 2.4.1 to 2.4.7).</p>

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	The applicant's response to the issues raised relating to the development of the local junction models are addressed under section 2.5 (see Applicant comments relating to REP1-048m to REP1-048s).
REP1-048b	<p>2.2 In overview the Councils request that:</p> <p>2.2.1 a revised traffic model is provided with the corrections/information requested at sections 2.3.1 to 2.3.3 and 2.4.3 below;</p> <p>2.2.2 the revised traffic model is compatible with CCC's area model to allow validation;</p> <p>2.2.3 an assessment of the consequential impacts noted at 2.4.1 and 2.4.2 is provided;</p> <p>2.2.4 an updated suite of local junction models and an accompanying narrative is provided addressing the comments at section 2.5 below; and</p> <p>2.2.5 the modelling of construction traffic be revisited to take into account CCC's comments at sections 2.7 to 2.13 below.</p>
Applicant Comment	<p>The Applicants detailed comments in response to issues 2.3.1 to 2.3.3 and 2.4.3 are presented in the relevant sections below and the Applicant considers that these responses provide CCC with the detailed information they have requested relating to the strategic traffic model. The application does not consider that the model needs to be revised. However, in the case of item 2.4.3, relating to the coding at Girton, the Applicant has carried out a sensitivity test based upon modifications to the capacity.</p> <p>The sensitivity test which included network modifications at Girton demonstrated that flows on the eastbound merge of A428/M11 reduce by less than 20 PCUs in the 2040 PM Without and With Scheme sensitivity test compared with the original model forecasts. For the A428 westbound, flows at the A14/M11 and A14/A428 diverges would increase by 57 PCUs and 110 PCUs in the 2040 PM Without Scheme and With Scheme scenarios respectively. This equates to an increase of approximately 53 PCUs between the with Scheme and without Scheme scenarios, (a change of approximately 1%) demonstrating there was little change to the model results.</p> <p>The Applicant seeks further clarification on item 2.2.2 above that requests the revised traffic model is compatible with CCC's area model to allow validation. The Applicant noted that CCC were provided with a cordon of the base and future year models during 2020 together with the Local Model Validation Report, that provided full details of the validation of the strategic traffic model.</p> <p>The Applicant notes that further information has been provided to address issue 2.3.2 relating to traffic on the B1040 at Eltisley where a select link analysis was carried out to identify the origins/destinations of B1040 traffic that was beyond the</p>

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	<p>extent of the cordon model provided to CCC. This information is detailed in the Applicant's response to 2.3.2 below. The Applicant's detailed comments in response to the issues raised by CCC on the local road network at Great North Road, St Neots and Cambridge Road St Neots are set out in sections 2.4.1 and 2.4.2 below. The Applicant's comments on the issues raised by CCC on the local junction modelling are presented in sections 2.5.1 to 2.5.9 below. The Applicant's comments relating to the modelling of construction traffic are presented under section 2.7 to 2.13 below. The Applicant notes that while construction HGV traffic was restricted to designated routes there was no attempt to constrain general traffic to the designated routes. This approach enables locations to be identified that might be expected to experience increases in traffic flows as a result of temporary traffic management measures. Any specific issues may then be addressed through traffic management plans.</p>
REP1-048c	<p>2.3 The following sections provide more detail on the three main areas of concern noted above although the Councils note that the impacts of the scheme are far reaching on the local network, residents, and businesses, both during construction and operation. Main concerns with the base year strategic model traffic routing and flows are:</p> <p>2.3.1 No traffic travelling eastbound between the A428 and M11 southbound is using M11 junction 13 in the morning peak. This traffic instead cuts through Coton and this effect is likely due to modelled congestion on the M11. In reality this routing is unlikely due to the nature of the road through Coton, which is narrow and subject to a number of different speed limits. This issue is present in the base year model and this is not supported by the available count data. Therefore this is a movement that is not being made in the base year but is a result of the congestion in the model on the M11. This effect is amplified in the forecast year scenarios. Instead, traffic looking to head south down the M11 continues along the A1303 Maddingly Road and uses M11 J13. An updated model is required.</p>
Applicant Comment	<p>The A428 Strategic Traffic Model was developed to assess the strategic impacts of the Scheme. The traffic data available for the A428 strategic traffic model calibration was concentrated around the A428 Scheme and the majority of counts were located west of the M11.</p> <p>As with any strategic traffic model, there is a limit to how well it represents the local road network beyond the extents of the Scheme as there are necessary 'trade-offs' in terms of the network and traffic zone detail. Therefore, it would not be expected to model perfect representation of traffic behaviour on local roads some 10-15 kilometres from the Scheme.</p> <p>A review of the model in the Coton area has been carried out. This demonstrated that the base year model overstates volumes to some degree with southbound volumes on Grantchester Road in the AM peak being around 219 PCUs (156% of the count data) too high and in the PM peak around 102 PCUs (72% of the count data) too high in the northbound direction and about 61 PCUs (103% of the count data) too high southbound.</p>

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	<p>A review of 2015 origins and destinations of this traffic has demonstrated that the majority of modelled traffic passing through Coton is travelling to or from locations in the Cambridge area, with relatively low volumes of longer distance traffic. For northbound traffic, the route through Coton from locations in west Cambridge would generally be quicker given that it is significantly shorter than using the M11 between J12 and J13.</p> <p>A review of the strategic model coding of the M11 J12 southbound off-slip indicates that the capacity at the junction of this link with Grantchester Road is too low and is probably a reason why more traffic is routed through Coton in the model than was observed in the 2016 and 2019 traffic surveys.</p> <p>The 2040 model forecasts show that the volumes through Coton are greater than those in the 2015 models. However, this increase will also be partly due to the coding issue noted at the J12 southbound off-slip as the coded capacity is too low. Some of the increase will also be due to increasing congestion along the A1303 east of the Coton junction.</p> <p>The strategic modelling indicates the Scheme will have a small impact on the route through Coton as there is some transfer from alternative east-west routes to the A428. However, there is very little impact forecast in the evening peak period and increases in the morning peak period are relatively modest.</p> <p>Further details of the analysis of the base and future model forecasts within Coton and the surrounding area are provided in 'Traffic Routeing Impacts at Coton' [REP1-028] that was submitted at Deadline 1.</p>
REP1-048d	<p>2.3.2 Traffic is using the B1040 throughout the full extent of the cordoned model and impacting on Eltisley. Due to the coverage of the cordoned model we are unable to determine the full origin and destination of these trips which are present in the base year and increase in the Do Minimum and Do Something scenarios.</p>
Applicant Comment	<p>A select link analysis for the B1040 in the northbound direction at Eltisley using the full model for the 2040 AM (Without Scheme) scenario was undertaken to identify the origins and destinations of traffic using this road.</p> <p>This analysis showed a high proportion of trips originating within the vicinity of Biggleswade and extending south along the A1 to Baldock and beyond. This is considered to be a realistic route for traffic, given the levels of congestion predicted at the Black Cat junction and on the A428 without the Scheme.</p> <p>Due to the staggered arrangement of the junctions along the A428 with the B1040 at Eltisley, North-South traffic travelling along the B1040 is required to make a right turn onto the A428. This applies in both directions. The right turns conflict with traffic in both directions on the A428 with corresponding high delays. An alternative route through Eltisley avoids the right turns onto the A428 and therefore B1040 traffic tends to rat-run through Eltisley during peak periods.</p>

Reference Number	Written Representation/Applicant Comment												
	With the Scheme in place, there is a positive impact on B1040 traffic in that delays at the existing A428 junction are significantly reduced and rat-running through Eltisley is minimised resulting in a reduction in traffic through the village. This is a notable benefit of the Scheme.												
REP1-048e	2.3.3 There are no modelled turning movements at the Caxton Gibbet junction between A1198 northern arm and the A428 western arm which is of particular concern as this is the eastern end of the proposed scheme. This effect is also observed in the forecast year scenarios. CCC requests that an updated traffic model is provided with these turning movements included.												
Applicant Comment	<p>At the Caxton Gibbet junction, traffic turning from the A1198 northern arm to the A428 western arm would be expected to be relatively low, unless it is using the petrol station and café just west of Caxton Gibbet or it is local traffic. The B1040 from the junction of the B1040 and A1198 at Papworth to the junction of the B1040 and A428 at Eltisley provides an attractive route notwithstanding the right turn at Eltisley. In the reverse direction, the B1040 provides an even more attractive route for traffic from the A428 heading towards the A1198 for Papworth and destinations further north making a left turn at Eltisley from the A428.</p> <p>Strategic traffic models generally assume that drivers have perfect knowledge of the road network irrespective of advanced direction signs. Accurate representation of the distribution of traffic using either the local route via the B1040 or the Caxton Gibbet junction is therefore challenging.</p> <p>The above reasoning for low traffic volumes making this movement is also evidenced by a turning count survey which was undertaken at the Caxton Gibbet junction on Tuesday 26 April 2016. This showed average hourly flows for this movement as follows:</p> <table><tr><th>Average Hour Time Period</th><th>From A1198 (N) To A428 (W)</th><th>From A428 (W) To A1198 (N)</th></tr><tr><td>AM 0700 – 1000</td><td>42</td><td>13</td></tr><tr><td>IP 1000 – 1600</td><td>53</td><td>22</td></tr><tr><td>PM 1600 – 1900</td><td>134</td><td>18</td></tr></table>	Average Hour Time Period	From A1198 (N) To A428 (W)	From A428 (W) To A1198 (N)	AM 0700 – 1000	42	13	IP 1000 – 1600	53	22	PM 1600 – 1900	134	18
Average Hour Time Period	From A1198 (N) To A428 (W)	From A428 (W) To A1198 (N)											
AM 0700 – 1000	42	13											
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	<p><b>Observed traffic at Caxton Gibbet junction between A1198 northern arm and A428 western arm</b></p> <p>It is noted that average hour turning flows are less than 50 vehicles per hour except for the PM period for the movement from the A1198 northern arm to the A428 western arm. As discussed above, a component of this is likely to be traffic accessing the petrol station and café just west of Caxton Gibbet or local traffic. It is accepted that there may be an additional component of traffic which is deterred from using the B1040 in the PM peak by virtue of the right turn delay at the Eltisley junction, although this is not reflected in the model.</p> <p>There are no trips making the turning movements between the A1198 northern arm and A428 western arm in the base year, however the model does predict some traffic making this turn for the 2040 ‘with Scheme’ scenario as follows:</p> <table><tr><th>Average Hour Time Period</th><th>From A1198 (N) To A428 (W)</th><th>From A428 (W) To A1198 (N)</th></tr><tr><td>AM 0700 – 1000</td><td>16</td><td>51</td></tr><tr><td>IP 1000 – 1600</td><td>37</td><td>31</td></tr><tr><td>PM 1600 – 1900</td><td>30</td><td>22</td></tr></table> <p><b>Predicted flows for 2040 ‘with Scheme’ scenario at Caxton Gibbet junction between A1198 northern arm and A428 western arm</b></p> <p>This traffic is mainly travelling to/from the southern end of Papworth. Some traffic continues to use the existing A428 from Cambridge Road junction with the Scheme in place to the B1040 north of Eltisley as this is still the shorter and quicker route for traffic heading north of Papworth.</p> <p>In conclusion it is considered that turning flows at the Caxton Gibbet junction between the A1198 northern arm and A428 western arm would be relatively low given the alternative route provided by the B1040.</p>	Average Hour Time Period	From A1198 (N) To A428 (W)	From A428 (W) To A1198 (N)	AM 0700 – 1000	16	51	IP 1000 – 1600	37	31	PM 1600 – 1900	30	22
Average Hour Time Period	From A1198 (N) To A428 (W)	From A428 (W) To A1198 (N)											
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PM 1600 – 1900	30	22											

Reference Number	Written Representation/Applicant Comment
REP1-048f	<p>2.4 Impacts of the scheme on particular areas of the local road network are of concern and some consequential impacts need to be assessed so that they can be understood in more detail, specifically:</p> <p>2.4.1 Great North Road, St Neots, Southbound - on the approach to Wyboston Junction as traffic reroutes from elsewhere in St Neots to access both the old A428 or the A1 southbound. This increase adds approximately 24% to traffic volumes in the peak periods. Therefore, CCC requires an assessment of the adjacent junctions on Great North Road up to and including the junction with Nelson Road.</p>
Applicant Comment	<p>The Applicant notes the request to model the adjacent junctions on Great North Road that would entail developing local models for a total of 4 junctions at:</p> <ul style="list-style-type: none"> <li>• Marlborough Road</li> <li>• Howard Road</li> <li>• Little End Road</li> <li>• Nelson Road</li> </ul> <p>The Applicant acknowledges that the strategic model predicts an increase in flows along Great North Road north of the Wyboston junction. The Local Impact Report from the Cambridgeshire authorities (para 7.2.6) <b>[REP2-003]</b> acknowledges that this is an effect of traffic re-routing within St Neots to access the wider road network via the Wyboston junction and that it is linked with a predicted significant reduction in traffic using the B1428 Town Bridge and other roads in the town centre. In the Local Impact Report, the Councils have welcomed this reduction.</p> <p>On opening of the Scheme, the removal of through traffic from the existing A428 would benefit local traffic which would seek optimal routes through the local area. The increases in flows on B1428 Great North south of St Neots is due traffic re-routing to using the existing A428 given that congestion at the junctions with the existing A428 would reduce with the Scheme. It should also be noted that traffic on the other selected roads in St Neots will reduce by at least 10%. This is illustrated in the table below.</p>

Reference Number	Written Representation/Applicant Comment				
	<b>2040 2-Way AADT Comparison – St Neots</b>				
	<b>Road</b>	<b>Location</b>	<b>2040 Without Scheme</b>	<b>2040 With Scheme</b>	<b>Difference</b>
	B1041 Mill Lane	Little Paxton, at river crossing	12221	10585	-1635
	B1043 Huntingdon Road	North of Priory Hill Rd	11174	7767	-3407
	B1428 Cambridge Road	At railway bridge	12392	13714	1323
	B1046 Potton Road	At bridge over railway	5934	3761	-2173
	B1043 Barford Road	North of the old A428	14672	16076	1404
	B1428 Great North Road	North of old A428	16425	20328	3903
	Bushmead Road	At bridge over A1	7566	6501	-1066
	Duloe Road	At A1 bridge	1924	1128	-796
	B1048 Crosshall Road	East of Great North Rd	6698	6030	-668
	Great North Road	South of A1 slip roads	6367	5799	-568
	B1428 St Neots Road	Town bridge over River Great Ouse	15754	13812	-1942
	<b>Total</b>		<b>111127</b>	<b>105501</b>	<b>-5626</b>

Reference Number	Written Representation/Applicant Comment
	<p>The Scheme will result in overall traffic flow reductions in St Neots. Further details relating to the forecast flows in St Neots is presented in Chapters 5 and 12 of Consultation Report - Appendix W - Response to traffic queries raised by the Joint Response from the Cambridgeshire &amp; Peterborough Local Authorities <b>[APP-069]</b>.</p> <p>Therefore, whilst drivers on sections of B1428 Great North Road and B1428 Cambridge Road may experience an increase in congestion, others who currently experience busier conditions on other roads will see a reduction in congestion. Further, any effects on individual arms in individual locations needs to be seen against widespread improvements across the network arising from the new route absorbing traffic which would otherwise be causing further delays in future years.</p> <p>In the circumstances the applicant is not proposing to model these additional junctions. The applicant considers it is neither necessary nor proportionate for the Applicant to carry out further, more detailed modelling to assess a potential deterioration in traffic conditions on selective approach arms of a number of specific individual junctions along Great north Road within the urban road network of a town, where the overall impact of the Scheme on the town is beneficial, and where the increase in traffic flows concerned is acknowledged to be the effect of local reassignment of traffic away from less suitable routes within the town centre.</p>
REP1-048g	<p>2.4.2 Cambridge Road, St Neots, East bound - on the approach to A428 junction the modelling predicts an increase of approximately 200 passenger car units (<b>PCU</b>) in the peak periods to the stretch between Station Road and the A428 junction. Therefore, CCC requires the junctions on the local road network to be assessed to ensure that the proposed increase in traffic can be accommodated.</p>
Applicant Comment	<p>The Applicant acknowledges that traffic flows on Cambridge Road are predicted to increase, with the Scheme in place. Traffic modelling predicts increases on Cambridge Road in the eastbound direction between Station Road and the approach to the A428 junction east of St Neots. However, it should be noted that the main increase (of 200 PCUs) is concentrated at the very eastern end east of the new access junction to the Wintringham and Loves Farm 2 developments. The AADT increase west of this new access junction is half of that to the east, and on the section east of Station Road the increase is only a quarter of that at the eastern end of Cambridge Road.</p> <p>The Scheme would provide substantial relief to the existing A428. Therefore, adjoining local roads, such as Cambridge Road, would become more attractive for traffic joining the A428 through reduced conflict with mainline A428 traffic.</p> <p>Analysis of the model forecasts shows that there is no transfer of long-distance traffic to Cambridge Road under the Do Something scenario. Thus, the improved side road capacity at the junction of the A428/Cambridge Road therefore provides a benefit to local road users.</p>

Reference Number	Written Representation/Applicant Comment																		
	<p>It should also be noted that improved connectivity to the A428 via Cambridge Road would benefit traffic from the nearby developments at Loves Farm and Wintringham as well as local traffic to/from west and north St Neots and Little Paxton.</p> <p>The Applicant does not proposed to undertake the modelling of additional junctions on Cambridge Road that would entail developing local models for junctions at:</p> <ul style="list-style-type: none"><li>• Station Road</li><li>• Dramsell Rise</li><li>• Stone Hill</li></ul> <p>The Applicant acknowledges that the strategic model predicts an increase in flows along Cambridge Road to the east of St Neots town centre. The LIR (para 7.2.7) acknowledges that this is an effect of traffic re-routing within St Neots to access the wider road network via the Cambridge Road junction and that it is linked with a predicted significant reduction in traffic using the B1428 Town Bridge and other roads in the town centre. In the LIR, the Councils have welcomed this reduction.</p> <p>The Scheme will bring an increased route choice for local drivers who will inevitably find their optimal route through the local area once the Scheme opens, in response to conditions on the local network once the A428 through traffic has been removed from the existing A428.</p> <p>The increases in flows on the B1428 Cambridge Road in the east of St Neots is due to the local growth associated with the Loves Farm 2 and Wintringham developments, as well as traffic re-routing to using the existing A428 given that congestion at the junctions with the existing A428 would reduce with the Scheme. It should also be noted that traffic on the other selected roads in St Neots will reduce by at least 10%. This is illustrated in the table below.</p> <p><b><u>2040 2-Way AADT Comparison – St Neots</u></b></p> <table><tr><th>Road</th><th>Location</th><th>2040 Without Scheme</th><th>2040 With Scheme</th><th>Difference</th><th>Difference%</th></tr><tr><td>B1041 Mill Lane</td><td>Little Paxton, at river crossing</td><td>12221</td><td>10585</td><td>-1635</td><td>-13%</td></tr><tr><td>B1043 Huntingdon Road</td><td>North of Priory Hill Rd</td><td>11174</td><td>7767</td><td>-3407</td><td>-30%</td></tr></table>	Road	Location	2040 Without Scheme	2040 With Scheme	Difference	Difference%	B1041 Mill Lane	Little Paxton, at river crossing	12221	10585	-1635	-13%	B1043 Huntingdon Road	North of Priory Hill Rd	11174	7767	-3407	-30%
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	Duloe Road	At A1 bridge	1924	1128	-796	-41%
	B1048 Crosshall Road	East of Great North Rd	6698	6030	-668	-10%
	Great North Road	South of A1 slip roads	6367	5799	-568	-9%
	B1428 St Neots Road	Town bridge over River Great Ouse	15754	13812	-1942	-12%
	Total		111127	105501	-5626	-5%
<p>The Scheme will result in overall traffic flow reductions in St Neots. Further details relating to the forecast flows in St Neots is presented in Chapters 5 and 12 of Consultation Report - Appendix W - Response to traffic queries raised by the Joint Response from the Cambridgeshire &amp; Peterborough Local Authorities <b>[APP-069]</b>.</p> <p>In the circumstances the Applicant does not propose to carry out further, more detailed modelling to assess a potential deterioration in traffic conditions on selective approach arms of a number of specific individual junctions within the urban road network of a town, where the overall impact of the Scheme on the town is beneficial, and where the increase in traffic flows concerned is acknowledged to be the effect of local reassignment of traffic away from less suitable routes within the town centre. The Applicant has developed a scoping note which explains which junctions have been selected for sensitivity testing with revised model inputs as suggested by CCC. However, no additional junctions suggested by CCC are proposed to be modelled given that [they are far off from the proposed scheme and in the local road network, and it is neither</p>						

Reference Number	Written Representation/Applicant Comment
	reasonable nor proportionate to expect that the Applicant will assess all potential local road junctions which might be impacted by the rerouting of local traffic after the Scheme is implemented].
REP1-048h	2.4.3 Girton Interchange - the eastbound merge of A428/M11 is over capacity in future years and Highways England propose to monitor this situation. The westbound A14/M11 and A14/A428 diverges are incorrectly represented with reduced capacity for these movements modelled, effectively reducing the attractiveness of the scheme. CCC requests that these inaccuracies are corrected in an updated model. CCC also requests that a solution is agreed between the Applicant and CCC should monitoring highlight an issue at this interchange that requires rectification.
Applicant Comment	<p>A sensitivity test was undertaken by the Applicant for the AM and PM 2040 Without and With Scheme scenarios to assess the impact of the network issues highlighted by CCC. Specifically, these modifications included:</p> <ul style="list-style-type: none"> <li>• Eastbound merge of A428/M11 – the link capacity was reduced from 2 lanes (4,199 Passenger Car Units (PCUs)) down to 1 lane (2,100 PCUs an hour), reflecting the single lane operation on this link. The speed flow curve on this link has been retained but with the lower capacity. Speed flow curves on the M11 off-slip have now been included, as well as corrections to link lengths near the A428 eastbound merge.</li> <li>• Westbound A14/M11 and A14/A428 diverges – the link capacity was increased from 2 lanes to 3 lanes, reflecting the double diverge operation at this location. Capacity and speed flow curves on these two links have been adjusted accordingly.</li> </ul> <p>The Girton Interchange sensitivity test which included these network modifications demonstrated that flows on the eastbound merge of A428/M11 reduce by less than 20 PCUs in the 2040 PM Without and With Scheme sensitivity test compared with the standard model forecasts.</p> <p>The sensitivity test showed that for the A428 westbound, flows at the A14/M11 and A14/A428 diverges would increase by 57 PCUs and 110 PCUs in the 2040 PM Without Scheme and With Scheme scenarios respectively. This equates to an increase of approximately 53 PCUs between the with Scheme and without Scheme scenarios.</p> <p>These differences in flow in the sensitivity test models indicate that there were no notable changes in the traffic assignment at Girton interchange. The results will be submitted at a future deadline.</p> <p>The Applicant will consider this junction under its monitor and manage strategy and develop necessary mitigation in consultation with the Local Highway Authority if necessary after implementation of the Scheme.</p>

Reference Number	Written Representation/Applicant Comment
REP1-048i	<p>2.4.4 Coton – all traffic travelling between A428 and M11 in the model avoids using M11 junction 13, instead travelling through Coton. This is due to modelled congestion on M11 between junctions 12 and 13 causing traffic to route on an unsuitable minor road. This is not a movement seen in the available traffic data. As this is a result of the coding of the M11 in the model HE need to monitor traffic levels through Coton to show that in reality this suggested impact of the scheme is not happening in reality.</p>
Applicant Comment	<p>A review of the model in the Coton area demonstrated that the base year model overstates volumes to some degree with southbound volumes on Grantchester Road in the AM peak being around 219 PCUs (156% of the count data) too high and in the PM peak around 102 PCUs (72% of the count data) too high in the northbound direction and about 61 PCUs (103% of the count data) too high southbound.</p> <p>A review of 2015 origins and destinations of this traffic has demonstrated that the majority of modelled traffic passing through Coton is travelling to or from locations in the Cambridge area, with relatively low volumes of longer distance traffic. For northbound traffic, the route through Coton from locations in west Cambridge would generally be quicker given that it is significantly shorter than using the M11 between J12 and J13.</p> <p>A review of the strategic model coding of the M11 J12 southbound off-slip indicates that the capacity at the junction of this link with Grantchester Road is too low and is probably a reason why more traffic is routed through Coton in the model than was observed in the 2016 and 2019 traffic surveys.</p> <p>The 2040 model forecasts show that the volumes through Coton are greater than those in the 2015 models. However, this increase will also be partly due to the coding issue noted at the J12 southbound off-slip as the coded capacity is too low. Some of the increase will also be due to increasing congestion along the A1303 east of the Coton junction.</p> <p>The strategic modelling indicates the A428 Scheme will have a small impact on the route through Coton as there is some transfer from alternative east-west routes to the A428. However, there is very little impact forecast in the evening peak period and increases in the morning peak period are relatively modest.</p> <p>Further details of the analysis of the base and future model forecasts within Coton and the surrounding area are provided in 'Traffic Routeing Impacts at Coton' [REP1-028] that was submitted at Deadline 1.</p>



Reference Number	Written Representation/Applicant Comment
REP1-048j	2.4.5 A1198 south of Cambridge Road junction – the scheme attracts long distance traffic from A428 west of Black Cat junction to travel south on the A1198 towards Royston in the morning and vice versa in the evening peak hours. Due to the size of the cordoned model supplied the origins and destinations of this traffic cannot be verified for reasonableness. A revised traffic model which is compatible with the wider area is requested for this verification.
Applicant Comment	<p>A select link analysis has been carried out using the full model in order to assist CCC relating to this issue. It is noted that this issue was raised by CCC at the meeting of the Local Technical Review Group meeting on 20 May 2021 and details of the select link analysis were provided on 24 May 2021.</p> <p>The 2040 AM (With Scheme) forecast scenario shows that at the Caxton Gibbet roundabout 243 PCUs are predicted for the movement from the A428 west to the A1198 south. Analysis of origins and destinations for this movement shows that most trips are destined for Cambourne, Caxton and other local villages. Less than 30 PCU's are forecast to travel further south of the A1198/A603/B1042 junction.</p> <p>Comparison of link flows between the 2040 AM (without Scheme) and the 2040 AM (with Scheme) scenario shows a reduction in traffic flows on Caxton Road between Gt Gransden and the A1198 from 280 PCUs/hr to 120 PCUs/hr. The inference is that the additional capacity of the Scheme provides relief to local roads which are used as alternative routes to the existing A428.</p> <p>A similar transfer is noted for the 2040 PM forecast with an increase of approximately 200 PCU's from the A1198 south to A428 west as a result of traffic diverting to the Scheme from alternative routes.</p>
REP1-048k	2.4.6 Dry Drayton – the scheme increases traffic through Dry Drayton during both morning and evening peak hours. This is a direct result of the scheme and therefore HE will need to devise a programme of mitigation to reduce the impact of this traffic on the settlement. This mitigation should be agreed with CCC and the Parish Council.
Applicant Comment	<p>There are increases in traffic volumes on the routes through Dry Drayton and Madingley in the forecast years 2025 and 2040 (without the Scheme) due to the impacts of the A14 Cambridge to Huntingdon scheme, (completed and open to traffic in May 2020) and the resultant change in network connectivity. The development at Northstowe also contributes to additional traffic on these routes in future years.</p> <p>Although the Scheme does result in some further increase in traffic in 2025 and 2040, these increases are relatively modest and compared to the without Scheme scenario, only accounts for around 7% of the change from 2015 to 2040 on The Avenue in the AM peak period.</p>

Reference Number	Written Representation/Applicant Comment
	<p>A detailed analysis of the predicted traffic flows through Dry Drayton and Madingley is presented in an Assessment of Traffic Flows at Dry Drayton and Madingley [TR010044/EXAM/9.43], submitted at Deadline 3. .</p> <p>Since the Scheme is not expected to lead to significant increases in traffic through Dry Drayton or Madingley, the Applicant does not propose to implement mitigation measures at these locations.</p>
REP1-048l	<p>2.4.7 Madingley – the scheme increases traffic travelling through Madingley during the morning and evening peak hours. This is a direct result of the scheme and therefore HE will need to devise a programme of mitigation to reduce the impact of this traffic on the settlement. This mitigation should be agreed with CCC and the Parish Council.</p>
Applicant Comment	Refer to response provided for paragraph 2.4.6 above.
REP1-048m	<p>2.5 The Applicant has built a number of detailed local junction models to support the application and while most models are built to acceptable standards, we have the following key concerns:</p> <p>2.5.1 The majority of the local junction models do not have base year models to demonstrate the ability of the models to replicate existing conditions accurately.</p> <p>2.5.2 Some of the local junction models have base year models that use flows taken directly from the base year of the strategic model rather than from observed count data. The strategic model is not validated to turning movement level of detail so flows from it are not appropriate for use in this way. Independent CCC analysis of observed versus strategic model turning flows at key junctions showed large discrepancies underlining the inappropriateness of this approach.</p> <p>2.5.3 Heavy goods vehicle (HGV) flows used in the local junction models have been taken from the strategic model rather than being based on observed counts. Furthermore, HGVs modelled in the micro-simulation models have not been split by observed rigid and articulated goods vehicle proportions. This is important because of the different lengths and acceleration/deceleration characteristics of rigid and articulated vehicles.</p> <p>2.5.4 All the junction models use forecast year traffic flows taken directly from the strategic model. This is not an industry standard approach because, as noted previously, the strategic model is not validated to turning movements, so flows from it are not appropriate for use in this way.</p>
Applicant Comment	The Applicant does not accept that base year models are necessary as suggested by CCC. While developing the junction models, the junctions were divided into two categories, namely:

Reference Number	Written Representation/Applicant Comment
	<ul style="list-style-type: none"> <li>Junctions which do not exist in the base year, or where there are significant and fundamental changes in layout due to the scheme (primarily the new junctions being introduced as part of the Scheme, or existing junctions whose layout is being fundamentally altered by the Scheme).</li> <li>Junctions which do exist in the base year and are not significantly changed by the Scheme (existing junctions indirectly affected by traffic flow changes brought about by the Scheme).</li> </ul> <p>For the first category of junctions, the fundamental changes in junction layouts meant that a large proportion of the traffic movements would be newly created by the Scheme. Therefore, there was no alternative to using traffic flows directly from the strategic models for these movements; traffic flow changes for existing movements that would remain would be complex and relate to wider area rerouting. The Applicant, therefore took the approach to use forecast flows directly from the strategic model to ensure consistency with trip distribution and routings.</p> <p>The second category of junctions was classified into two sub-groups based on strategic model outputs. Junctions which were predicted to have positive impacts due to the Scheme were assessed using flows taken directly from the strategic model. The second group of junctions which were predicted to experience adverse or negative impacts were assessed using models calibrated/validated for the base year 2019 through collection of new data and then forecasts based on the traffic growth trend between the base and forecast year model scenarios from the strategic model. This was applied to both with and without Scheme scenarios.</p> <p>In the case of junctions where the modelled results show substantial improvements in their capacity as a result of the Scheme, the Applicant maintains that the impact of the Scheme on these junctions will still be beneficial whatever modelling approach is used. It would therefore not be reasonable or proportionate to carry out further, more detailed modelling in order to justify the impact the Scheme has in these locations.</p> <p>Similarly, in the case of junctions where the modelled results show the junction remaining well within capacity once the Scheme opens, the Applicant maintains that this would be the case whatever modelling approach is used.</p> <p>The Applicant considers the above method a logical, proportionate and robust approach for assessing the junctions for identifying the impacts of the Scheme. Responses to specific comments in respect of individual junctions follow.</p> <p>The Applicant does not accept that the approach to modelling HGVs in the local models is incorrect. The HGV flows from the SATURN base year models were compared to the surveyed HGV flows for the Scheme junctions (Vissim models). It was observed that the SATURN model contains higher HGV flows, although they are broadly similar in magnitude. Hence, the Applicant considers direct use of HGV flows from the strategic model as a robust approach.</p>

Reference Number	Written Representation/Applicant Comment
	<p>HGVs comprise of OGV1 (10.2m) and OGV2 (16.5m) and represent a very small percentage of the total demand in the microsimulation (Vissim) models. The Vissim models have been developed with all HGVs coded as OGV1 and considered to be representative of the total HGV traffic flows. At M11 Junction 13, the total HGVs comprise 4% of total demand in the AM peak and 2% in the PM peak. Similarly, at Buckden junction, HGV traffic represents 9% of the total demand in the AM peak and 6% in the PM peak. The proportion of OGV2 is therefore correspondingly small (approximately 50 to 60% of total HGVs). Therefore, the impact of changing the vehicle types will not be significant.</p> <p>It should be noted that, although a longer 16.5m vehicle model can be represented in Vissim, there is a standard HGV acceleration/ deceleration distribution which is representative of an average HGV. This simplification in the software shows that it is standard practice to represent the range of HGVs in the dataset, with a vehicle type representing HGVs across the range.</p> <p>However, following the ISH2, the Applicant is scoping sensitivity testing, for agreement with the Local Authority, to assess the impact of changing the model parameters for a select group of junctions after taking into considerations all the suggested changes by CCC, and analyse the outputs to ascertain if the model outputs change significantly from the DCO submission.</p>
REP1-048n	<p>2.5.5 The following section sets out further key issues with the assumptions included in the modelling that need to be addressed by the Applicant:</p> <p>(a) Cambourne Junction (LinSig)</p> <p>Most of the geometric inputs to the LinSig models are overestimated and this increases saturation flows which directly affect junction capacity. The Applicant should review all input geometric data to the models in terms of road widths, turning radii and use of nearside lanes.</p>
Applicant Comment	<p>The geometry coded in LINSIG represents the developer-funded mitigation scheme. The Applicant has re-checked the model against layout drawings and considers it to be accurate.</p> <p>As reported in Tables 3-19 and 3-20 of the Transport Assessment Annex <b>[APP-243]</b>, this junction is predicted to operate well within capacity in 2040 DS (max DoS=38.2%). It could therefore in principle accommodate more than double the amount of traffic assigned to it before reaching its capacity. There is therefore no case to be made for further, detailed modelling, to assess the performance of this junction in order to justify the minimal impact the Scheme has at this location.</p>

Reference Number	Written Representation/Applicant Comment
REP1-048o	<p>(b) Madingley Mulch (ARCADY)</p> <p>The model shows this junction to be operating well within capacity. Local observations (pre-Covid) indicated exit arm capacity restraint on A1303 Madingley Road towards Cambridge during AM peak due to signals at M11 junction 13 and queuing traffic beyond the junction into Cambridge city centre.</p>
Applicant Comment	<p>This junction is affected by queueing back from the M11 J13 and other junctions to the east along the A1303, which results in exit blocking on A1303. As a modelling issue, this has been addressed by the extension of the M11 J13 VISSIM model to cover this junction, which showed that the capacity issues stem from queueing back and not at the roundabout itself; as a practical issue, it will be addressed by the M11 J13 RIS scheme and there may be other, shorter term, measures (such as adding a lane to the approach arm of the roundabout to provide additional queueing capacity, etc.) which could be taken to minimise queueing on the slip road-which will be covered under the “monitor and manage” strategy of the Applicant.</p> <p>Whilst there remains a queue-back problem on the A1303, the M11 J13 VISSIM model is a better guide to the performance of this junction than a free-standing ARCADY model. Paragraph 3.8.8 of the Transport Assessment Annex <b>[APP-243]</b> acknowledges this. The ARCADY model serves to confirm that the roundabout itself is not the source of the congestion.</p> <p>There is therefore no case to be made for further modelling using the ARCADY model.</p>
REP1-048p	<p>(c) Wyboston junction (Arcady)</p> <p>(i) Some observed u-turning traffic has been removed from the model and an explanation as to why that has been done is required.</p> <p>(ii) The morning peak hour model has been built for the hour 07:00-08:00 but examination of the count suggests the busiest hour is 08:00-09:00. An explanation of peak hour selection is required.</p> <p>(iii) Forecast year flows appear to be a combination of counted turns for the Premier Inn access and flows taken directly from the strategic model. Direct use of strategic model flows is not accepted.</p> <p>(iv) Some of the geometric measurements used in building the model are over-estimated, for example approach road widths, while some flare lengths have been underestimated. Documentation suggests the model was built using OS kerb data. CCC would further suggest aerial photo information is used as there is significant hatching at this junction and clearly marked road edging.</p>

Reference Number	Written Representation/Applicant Comment
	<p>(v) An independent model run for 2040 AM peak, using revised geometries and future year flows (derived using industry standard methods) shows a marked deterioration in junction performance compared with the Applicant modelling. This junction needs to be reassessed.</p> <p>(vi) Future year performance of this junction suggested by the Applicant is therefore not accepted.</p>
Applicant Comment	<p>The cumulative effect of Points (1) (ii) and (iii) above is that CCC assert that the 2015 base flows used in the Arcady model of this junction are 20% low relative to 2016 observed data for the reasons given above. In respect of the specific point about peak hours, for consistency with the strategic model, the local model junction for the Wyboston junction was run for the peak hours identified when the strategic model was built (0700-0800 and 1700-1800), which are not necessarily the same as the peak hours for this individual junction. Transport Assessment Annex [APP-243] para 2.2.6 refers to this.</p> <p>Point (iv) CCC have also raised a query over the way the geometry of this junction has been represented in the ARCADY model [REP1-048 2.5.5 (iv)]. The Applicant's consultant has re-visited this and considers the geometric measurements to be correct..</p> <p>Point (v) CCC consider that the models provided by the Applicant do not accurately represent future levels of performance at this junction.</p> <p>It is evident from the strategic model outputs and from the ARCADY model results tabulated in Tables 3-45 to 3-48 of the Transport Assessment Annex [APP-243], that the Scheme results in a substantial decrease in traffic flows along the existing A428 through the junction and that this results in a substantial improvement in the capacity of the junction overall. This improvement will take place whichever set of base flows are used.</p> <p>The Applicant acknowledges that, with the modelling undertaken, by 2040, this junction will have reached its design capacity once again (max RFC=0.85) and a higher level of base flows would probably result in this capacity threshold being exceeded. But still the impact of the Scheme will continue to be better in comparison to the "without scheme" scenario.</p> <p>While we acknowledge that the modelling shows an increase in flows along Great North Road (north), the LIR (para 7.2.6) acknowledges that this is an effect of traffic re-routing within St Neots to access the wider road network via the Wyboston junction and is linked with a predicted significant reduction in traffic using the B1428 Town Bridge and other roads in the town centre. In the LIR, the Councils have welcomed this reduction.</p> <p>On opening of the Scheme, the removal of through traffic from the existing A428 would benefit local traffic which would seek optimal routes through the local area. The Applicant's position is that it would not be reasonable or proportionate to</p>

Reference Number	Written Representation/Applicant Comment
	<p>carry out further, more detailed modelling to assess a specific deterioration in traffic conditions on one arm of a junction, where the overall impact is beneficial and where the specific deterioration concerned is acknowledged to be the effect of local reassignment of traffic away from less suitable routes within the urban area.</p> <p>However, Action 1 arising from Issue Specific Hearing 2 asks the Applicant to report on the possibility, process and outcomes of greater sensitivity testing in this location. The Applicant has therefore prepared a scoping brief to carry out sensitivity testing in response to the issues raised, please refer to the Applicant's Response to Actions Arising from Issue Specific Hearing 2 <b>[TR010044/EXAM/9.32]</b>.</p>
REP1-048q	<p>2.5.6 Use of Transport for London assumptions are not supported as these were derived for assessing traffic conditions in London. This includes very short standstill distances which may lead to queues being underestimated. The modelling should use the default values in the model unless there is local information available to indicate that there needs to be a bespoke set of inputs as is the case with the TfL parameters which are specifically defined to cater for the traffic conditions in London.</p>
Applicant Comment	<p>The Applicant considers that the reference to the “traffic conditions in London” by CCC is misleading here. The difference between the default standstill distance and the standstill distance adopted on some roads is 30cm (1.5m compared to 1.2m). The difference is relatively small and will only make a significant difference if a large number of vehicles were in the queue.</p> <p>The driving behaviour has a single parameter, standstill distance, which in some cases were set as 1.2m rather than 1.5m – the Applicant has now tested the impact of changing these parameters on multiple junctions.</p> <p>‘Urban motorised’ is a default driving behaviour in Vissim – it simply means vehicle don’t exhibit overtaking behaviour on the outside lane, as on highways, but display the behaviour one would see at a junction, with free lane choice. This is not specific to London nor specifically for urban roads.</p> <p>The Applicant will be undertaking sensitivity tests changing the model parameters in line with CCC’s suggestion, on a few selected junctions, and the impact on the new outputs of the model will be compared with the model outputs of DCO submission, and reported.</p>



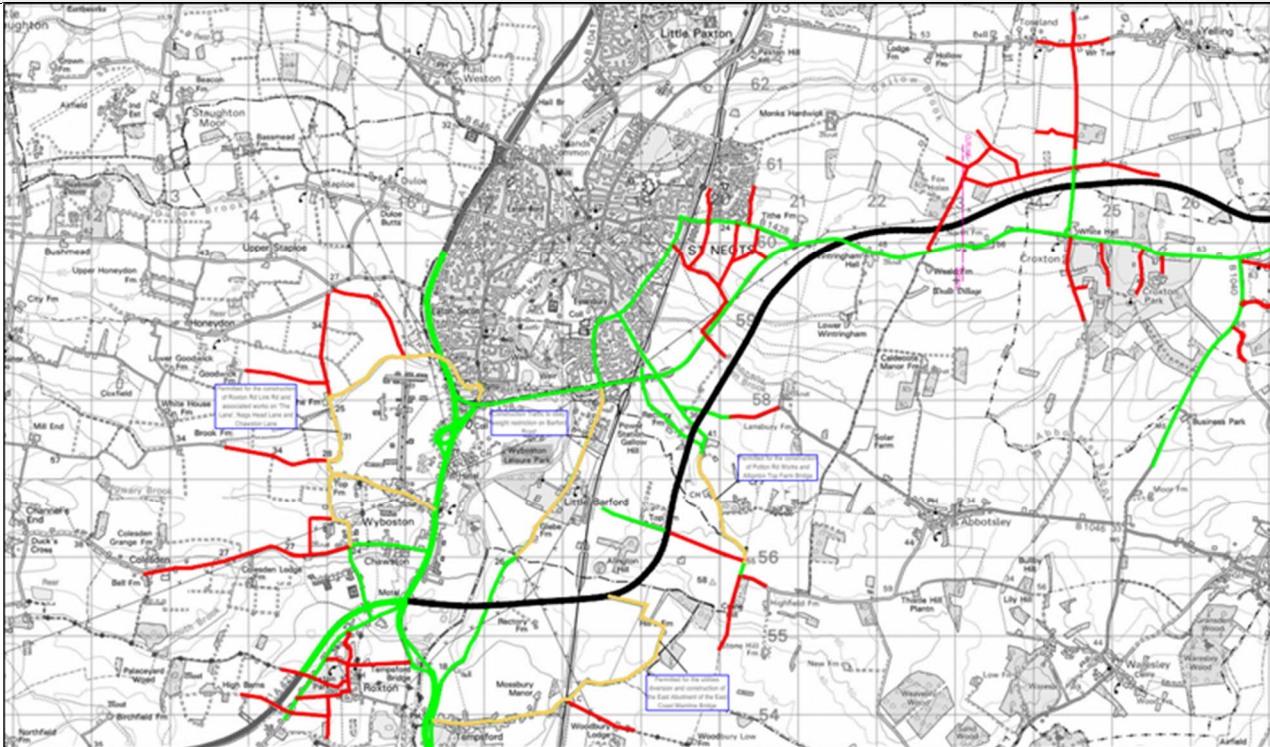
Reference Number	Written Representation/Applicant Comment
REP1-048q (a)	2.5.7 The results of the models presented in the Vissim Model Technical notes include speed heat maps and journey times but more information is required on such things as changes in turning movements and queues/delays at key junctions. This is needed to enable the impact of the scheme to be assessed.
Applicant Comment	<p>It is assumed that this representation is aimed at the forecast Vissim models developed at Buckden and M11 J13 where the comparison between the Do Minimum and Do Something scenarios have provided an indication of the impact of the Scheme.</p> <p>For the M11 J13/A1303 corridor Vissim model, queue and delay results at individual junctions are not representative of that specific junction, hence not reported. As there is significant congestion and blocking back of vehicles between the junctions - so standalone junction results are misleading (e.g. delay results will be impacted by blocking from other junctions, and not provide a relative assessment of junction performance). The average speed and delay results already provided for the whole corridor and network are therefore appropriate – as they allow an understanding of the changes in congestion patterns across the whole corridor resulting from the Scheme. However, after CCC's comments, the extracted turning movement outputs ("Actual Flows" in Vissim models) for all the junctions in the network have been provided to CCC by the Applicant on 10th August 2021.</p> <p>At the Buckden junction Vissim model, which is essentially a single junction with multiple approaches (including nearby minor junctions) - the journey time results provided are sufficient to understand relative delay at each approach to the junction. However, after CCC's comments, the extracted turning movement outputs ("Actual Flows" in Vissim models) for all the junctions in the network have been provided to CCC by the Applicant on 10th August, 2021 via email.</p> <p>At the other Scheme junctions Vissim models, the results such as delays or journey times have not been provided as there are no Do Minimum scenarios to compare against (as these are all brand new junctions), and would be meaningless. The speed results provided show locations of congestion - which demonstrate that there are no significant queues in the network. The turning movement information have also been extracted from the Vissim models and provided to CCC by the Applicant.</p> <p>In any case all the Vissim and ARCADY/ PICADY/LINSIG models of the junctions have been shared with CCC and they can extract any model outputs deemed necessary to finalise their position.</p>
REP1-048r	2.5.8 Vehicles overlap in the models which overestimates the capacity at a junction.



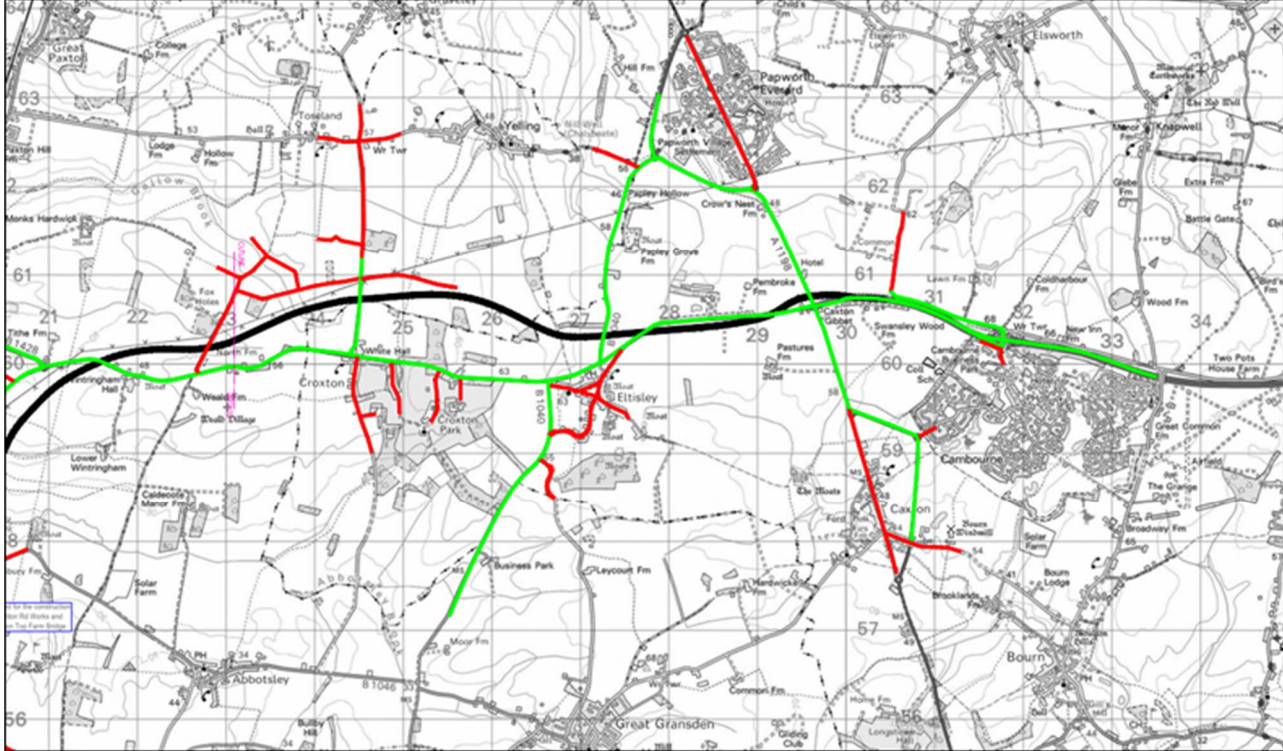
Reference Number	Written Representation/Applicant Comment
Applicant Comment	<p>The Applicant seeks clarification about which junction is being referred to.</p> <p>However, based on information provided separately by CCC, it is assumed that this point is for the A1303/Cambridge Road junction which is one of several junctions in the M11 Junction 13 Vissim model network.</p> <p>It is noted that this junction operates with a mixture of courtesy/cooperative behaviour and aggressive merging behaviour, due to eastbound queuing on the A1303 through the junction and long queues on Cambridge Road resulting in aggressive merging onto the A1303. Replicating this behaviour in the Vissim model was complex and required calibration of the priority rules, with reference to video footage, to achieve a good match with observed delay from the A1303/Cambridge Road.</p> <p>The operation of this junction was reviewed in the model and it is acknowledged that there are a few vehicles overlapping, which are very few in numbers and this is a visualisation anomaly of the PTV Vissim software, not a real life representation of collision. The validation statistics of journey times on the eastbound approach to the junction on the A1303 and along the Cambridge Road are good, hence those visual and theoretical overlapping of the vehicles have been considered to be acceptable as they tend to happen in any Vissim model where the congestion and conflicts are significant.</p>
REP1-048s	2.5.9 Some junction results are based on too few runs of the model.
Applicant Comment	<p>It is assumed that this comment relates to the Scheme junctions modelled within Vissim using five Random Seeds. It is noted that the model results between random seeds do not vary significantly for these Vissim models and therefore five runs (as per the industry standard minimum) were considered an appropriate number for a small model with little variability.</p> <p>The M11 Junction 13 and Buckden junction Vissim models were run for 10 runs and therefore this comment is not considered applicable.</p> <p>The Applicant will undertake sensitivity tests of the Scheme junctions using 10 random seeds for a few selected junctions which is outlined in the scoping note for sensitivity tests which has been submitted at Deadline 3 <b>[TR010044/EXAM/9.44]</b>.</p>
REP1-048t	2.6 Due to the concerns with the detailed junction models noted above, the Councils are unconvinced at this time whether the new junctions are of appropriate design or whether existing junctions will be able to accommodate future year traffic flows.

Reference Number	Written Representation/Applicant Comment
Applicant Comment	<p>Based on all the responses to CCC's comments above the Applicant reiterates that the modelling approach adopted for the Scheme was robust.</p> <p>The Applicant is currently developing a Scoping Note for undertaking sensitivity tests to incorporate the above concerns/suggestions of CCC in a select group of junctions to ascertain the degree of changes in the model outputs compared to the DCO submission, which will commenced after agreement with CCC. Please refer to the Applicant's Response to Actions Arising from Issue Specific Hearing 2 [TR010044/EXAM/9.32] where the scope is set out.</p>
REP1-048u	<p><u>Construction impacts</u></p> <p>2.7 The Applicant undertook modelling to assess the impact of the construction of the scheme (App – 241 Transport Assessment part 1 – Appendix 9.1 TN43) (<b>APP-241</b>). This modelling made use of the 2025 future year model as the scheme is predicted to be open by 2025. The modelling has been undertaken for each of the 4 planned phases of construction. The changes made to the model to assess the construction impact include:</p> <p>2.8 The assessment has two elements to it, these are as follows:</p> <p>2.8.1 Construction traffic; and</p> <p>2.8.2 Traffic diverted due to the impact of each phase of construction.</p> <p>2.9 Please refer to the Council's comments on this matter in the First Written Questions, and also the Local Impact Report. The impacts of diverted traffic due to construction and subsequent operation are of great importance to the Councils and need to be understood in detail, and appropriate mitigation put in place.</p> <p>2.10 Construction traffic - this has been included in the model through the introduction of new use classes in the model. The routing of construction traffic, especially HGV traffic, is controlled by the introduction of "significant" time penalties added on the routes that the Applicant does not want HGV traffic using. This is a reasonable approach, but greater information is required on the location and nature of the time penalties imposed on construction traffic.</p>
Applicant Comment	<p>The construction HGV flows represent the delivery of materials and heavy construction related needs. It is classified as construction HGVs (User Class 7, UC7) in the traffic model. The value of time in pence per minute (ppm) and value of distance in pence per kilometre (ppk) values for HGV (as UC5 in the A428 traffic model) were adopted for construction HGVs (UC7).</p>

Reference Number	Written Representation/Applicant Comment
	<p>The Principal Contractor who has derived the construction strategy provided the necessary data to build a construction traffic assignment model including plans showing the routes that construction HGVs were assumed to be restricted to use.</p> <p>The Principal Contractor provided maps showing the permitted routes, non-permitted routes and permitted routes with restrictions for construction HGV's. Figure 1 and Figure 2 below show the permitted HGVs routes in green, the non-permitted routes in red and the permitted routes with restrictions in light yellow respectively for the western and eastern parts of the Scheme.</p> <p>Permitted HGV construction routes were implemented in the model by applying a time penalty (9,999 seconds) on non-permitted links. This penalty was applied to HGV construction traffic only, represented as User Class 7 in the model. The application of time penalties prevents construction HGVs from using non-permitted routes, unless no alternative was available. Other route restrictions that were applied to non-construction HGVs were also applied to construction HGVs.</p> <p>Figure 1 : Construction HGVs permitted and non-permitted routes – Western Area</p>

Reference Number	Written Representation/Applicant Comment
	 <p><b>KEY</b></p> <ul style="list-style-type: none"> <li>PERMITTED CONSTRUCTION TRAFFIC</li> <li>NO CONSTRUCTION TRAFFIC</li> <li>PERMITTED CONSTRUCTION TRAFFIC (WITH RESTRICTION)</li> </ul> <p>Figure 2 : Construction HGVs permitted and non-permitted routes – Eastern Area</p>

A428 Black Cat to Caxton Gibbet improvements  
Applicant's Response to Written Representation

Reference Number	Written Representation/Applicant Comment
	 <p><b>KEY</b></p> <ul style="list-style-type: none"> <li><span style="color: green;">———</span> PERMITTED CONSTRUCTION TRAFFIC</li> <li><span style="color: red;">———</span> NO CONSTRUCTION TRAFFIC</li> <li><span style="color: orange;">- - - - -</span> PERMITTED CONSTRUCTION TRAFFIC (WITH RESTRICTION)</li> </ul>



Reference Number	Written Representation/Applicant Comment
REP1-048v	<p>2.11 Diverted traffic - when it comes to modelling of the impact of general traffic that reroutes as a result of each phase of development, no limits or restrictions have been introduced to the model and as a result traffic is allowed to use any route available in the model meaning that the impact is widespread throughout the model and includes significant increase in traffic on unsuitable routes, such as the road through Yelling and Toseland. This is not somewhere that CCC would wish to see increased traffic flows due to the nature of the road. The road through Toseland and Yelling is very narrow and there is an almost ninety-degree bend that means it is very difficult for two vehicles to pass each other especially if one of the vehicles is a HGV.</p>
Applicant Comment	<p>Modelling undertaken by the Applicant has demonstrated that a proportion of traffic would be displaced on to local roads during the construction phase, mainly as a result of the temporary speed reductions on the existing A428.</p> <p>The model assumes that drivers have perfect knowledge of the road network and traffic conditions (e.g. delays). Traffic is assigned to routes such that all journeys across the network are optimised i.e. minimum cost. Diversionary traffic routes were not subject to any coding adjustments within the SATURN traffic model i.e. no attempt was made to force general traffic to use nominated diversion routes.</p> <p>This approach enables locations to be identified that might be expected to experience increases in traffic flows as a result of temporary traffic management measures. Any specific issues may then be addressed through traffic management plans.</p>
REP1-048w	<p>2.12 The design of the construction phases should be done in such a way that the volume of traffic that would be expected to use the A428 is accommodated rather than allowing traffic free rein on the routes to be used for the duration of the scheme construction (September 2021 to May 2025).</p>
Applicant Comment	<p>Permitted and restricted routes for construction traffic are set out in the OCTMP and these routes will be used by construction traffic during the construction phases and thus there will not be free rein for construction traffic to use other routes. The existing A428 forms one of these routes and the construction traffic and has been included in the traffic modelling which shows that this can be accommodated.</p> <p>In addition, the Applicant will employ a strategy comprising a series of measures as set out in the OCTMP to maintain traffic on the Strategic Road Network.</p> <p>These include providing clear and reliable information to all A428 road users and so maintaining communication and managing users expectation by:</p>

Reference Number	Written Representation/Applicant Comment
	<ul style="list-style-type: none"> <li>Roadside signage giving advanced notice of the works and providing clear information throughout the planned works.</li> <li>Efficient location of traffic management lead in zones to minimise traffic flow impacts.</li> <li>Deploying journey time recognition systems using portable message sign at key locations to provide road users with real time information on the duration of travel through the temporary traffic management. Where drivers have information on the extent of any delays they are less likely to self-divert.</li> <li>Using the National Highways Variable message signs across the strategic network to divert long distance strategic traffic to alternative routes such as A14, M11 and M1.</li> </ul> <p>Installing CCTV monitoring of the temporary traffic management at the main junctions and other key locations. This will enable the performance of the traffic management to be assessed and modified should an issue be identified. It will also allow recovery teams that are to be located at strategic access points to be mobilised immediately should an incident occur.</p>
REP1-048x	<p>2.13 The use of the strategic model to assess the impact of construction means that the impacts are diluted and therefore the routing of diverted traffic should be agreed with CCC and modelling redone to ensure that traffic is restricted to appropriate routes.</p>
Applicant Comment	<p>The Applicant does not agree that the construction modelling should be reworked by restricting traffic to appropriate routes. If this approach were to be adopted it is doubtful whether this would reflect what is likely to occur in reality whereby drivers would seek to minimise their time through the network.</p> <p>As noted in the Applicant's response to paragraph 2.11 above, the rationale underpinning the approach to modelling was that the strategic model be used to identify those locations that might be expected to experience increases in traffic flows as a result of temporary traffic management measures.</p> <p>The Applicant notes that while construction HGV traffic can be banned from certain routes, it would be difficult in practice to force other traffic to use designated routes. Therefore the approach to modelling adopted by the Applicant is considered robust with the results used to inform the traffic management plans to deter traffic from using unsuitable routes.</p>

Reference Number	Written Representation/Applicant Comment
REP1-048y	<p>3. <b>HIGHWAY ASSETS</b></p> <p>3.1 The comments below address the articles and contents of the draft DCO (and associated schedules and plans) where there are adjudged to be divergences between those documents and the requirements of CCC in fulfilling its functions as LHA to: (i) maintain the legal records of the highway network; and (ii) carry out statutory processes related to changing the network through creation, diversion and extinguishment of highways.</p> <p>3.2 For the avoidance of doubt, all public rights of way (PROW) are highways. Where the term “highway(s)” is used in the paragraphs below, it is used to address PROW infrastructure as well as roads.</p> <p>3.3 In overview the Councils’ submissions relate to the following:</p> <p>3.3.1 Provisions and processes relating to the transfer of new roads and de-trunked roads (sections 3.4 to 3.14);</p> <p>3.3.2 The limits of deviation applicable to the Scheme and construction in accordance with the DCO plans (sections 3.15 to 3.24); and</p> <p>3.3.3 Liability for maintenance of private vehicular accesses (sections 3.25 and 3.26)</p> <p>3.3.4 Amendments requested to the DCO plans and schedules (sections 3.27 to 3.31); and</p> <p>3.3.5 Revisions to be considered to the Streets, Rights of Way and Access Plans (sections 3.32 to 3.33).</p>
Applicant Comment	The Applicant notes these comments from the Cambridgeshire authorities and has responded in detail to these points below.
REP1-048z	<p>Transfer of new roads and de-trunked roads</p> <p>3.4 Significant further discussions between CCC as LHA and the Applicant regarding the transfer of assets (new roads and de-trunked sections) and appropriate provisions in the DCO to regulate asset handover are required, in addition to an agreement between the parties. The DCO must not operate to transfer assets (including de-trunked roads) to CCC as LHA unless and until the assets are of a standard and extent agreed with CCC as LHA (acting reasonably). CCC seeks amendments to the draft DCO (<b>APP-025</b>) to ensure that any new roads or de-trunked roads will not transfer until CCC as LHA approves them. The nature of that approval process can be set out in a further agreement between CCC and the Applicant, however the principle must be secured in the DCO. CCC as</p>



Reference Number	Written Representation/Applicant Comment
	<p>LHA requests that article 13 of the draft DCO is amended to provide a mechanism for certification of all highways to be vested in the LHA prior to that vesting.</p> <p>3.5 The draft DCO (<b>APP-025</b>) offers no detail on the processes related to certifying that the works completed by the undertaker are to the satisfaction of the LHA. This is a crucial element of the LHA's interaction with the scheme. From experience of the delivery phase of the A14 improvement works it is notable that the absence of an agreed process for certification of new local highways caused delays in the transfer of some of the completed new highway assets to CCC as LHA, until such time that a process was agreed between CCC as LHA and the A14 Integrated Delivery Team. CCC as LHA requires that a formal process is agreed for the certification by the LHA that new and amended local highways are satisfactorily completed and are suitable for adoption.</p> <p>3.6 The draft DCO (<b>APP-025</b>) also makes no reference to the transfer of new highway asset data to the LHA. This element of the works is essential to enabling the LHA to accurately record new highway assets, to understand and manage the new maintenance burden it has inherited, and to comply with statutory requirements regarding the documentation and publication of highway network information. Further details are required on the timeline within which CCC as LHA can expect to receive asset data for transferred infrastructure. CCC as LHA requires express provision for the transfer of this data in the DCO and a legal agreement.</p> <p>3.7 In particular, the draft DCO (<b>APP-025</b>) at article 14(8) states that "the roads described in Part 8 (roads to be de-trunked) of Schedule 3 are to cease to be trunk roads" on a date determined by the Applicant. This article does not include any reference to the prior agreement of the LHA regarding the timing of the de-trunking, or that the de-trunked road and related infrastructure is in an acceptable condition at the proposed point of de-trunking. It is also unclear whether the Applicant intends to de-trunk all of the road at once, or in sections. This has the potential to place a significant burden on the LHA with insufficient notice. CCC as LHA requires article 14(8) be amended to provide that de-trunking will only take effect on a date to be agreed between the Applicant and CCC as LHA. As part of that, a formal de-trunking process should be outlined by the Applicant for agreement with the LHA, including a Handover Plan that includes, but is not limited to:</p> <p>3.7.1 the assets that make up the road to be de-trunked;</p> <p>3.7.2 the expected condition of highway assets upon de-trunking;</p> <p>3.7.3 the maintenance activities to be taken between the making of the Order and the de-trunking date;</p> <p>3.7.4 the timeline for works to be undertaken prior to de-trunking; and</p>

Reference Number	Written Representation/Applicant Comment
	<p>3.7.5 the extent of highway and location of boundaries of the road to be de-trunked.</p> <p>3.8 Advanced understanding of such a plan is essential to CCC as LHA in planning its future maintenance activities and funding requirements. Furthermore, agreeing such a plan at an early stage is central to ensuring that the eventual handover of the de-trunked road proceeds efficiently and on time. In respect of the de-trunking of the old A14 (now the A1307), a de-trunking Handover Plan was not agreed at an early stage and the lack of clarity that ensued over this matter resulted in the de- trunking date being repeatedly delayed.</p> <p>3.9 It is noted that the De-Trunking Plans (<b>APP-012</b>) have already been edited to accommodate comments made during winter 2020/21, for which CCC is grateful. This is very helpful and adds some clarity to the extent of asset to be inherited by CCC as LHA.</p> <p>3.10 However, some sections of the existing A428 that are identified for de-trunking in the De-Trunking Plans (APP-012) extend a considerable distance away from the current A428 carriageway. This is particularly notable as the A428 passes Croxton Park, where a curve in the road leaves areas of surplus land to the north and south of the carriageway. CCC as LHA is only able to adopt areas of land that are necessary for highway purposes. Therefore, we request early engagement on the areas and assets that are to be de-trunked, to ensure that non-operational land is not unnecessarily inherited by CCC as LHA. Surplus areas should be removed from the De-Trunking Plans (APP-012).</p> <p>3.11 Through experience with the A14 improvement scheme, it is the understanding of CCC as LHA that new local roads that have been constructed on land that had previously been considered part of the trunk road network cannot be legally adopted by the LHA until such time as the de-trunking has taken place. This may pose difficulties when the 'handover' of new local roads to the LHA is proposed by HE. For example, Streets, Rights of Way and Access plan 14 in the draft DCO (APP-013) shows the construction of a new local highway, the 'Caxton Gibbet junction southwest link road', which is on the alignment of part of the current A428 that is to be de-trunked. CCC as LHA's understanding is that until this section of the A428 is formally de-trunked, it will not be possible for the LHA to assume responsibility for that section of new road, as the land on which it stands remains a designated part of the trunk road. CCC therefore requests that the Applicant engages in discussions with affected LHAs with a view to agreeing a legal solution to this situation (and others as they occur across the scheme) that is acceptable to all parties. In the absence of such an agreement, it is the default position of CCC as LHA that any affected local highways must remain the responsibility of HE until the affected areas are legally de-trunked.</p> <p>3.12 Finally, CCC as LHA requires a commitment from the Applicant that all street lighting assets are compliant with Cambridgeshire County Council Street Lighting PFI Development Specification dated January 2016, or relevant</p>

Reference Number	Written Representation/Applicant Comment
	<p>equivalent standards at the time of adoption, for adoption by CCC into its PFI Contract for Maintenance. Compliance with CCC construction standards, installation, inspection and accrual processes must also be followed. No street lighting assets relating to roads to be handed over will be older than 2 years old at the point of handover.</p> <p>3.13 Existing lighting on de-trunked sections must be adapted to comply with the County Council Standard Development Specification, where they are not greater than 2 years old, so long as they are not damaged, unsafe or unserviceable. All other existing columns, cables, feeder pillars, cabinets and other equipment associated with illuminated assets that are not compliant with the PFI specification or equivalent at the time of adoption and older than 2 years old, or are damaged, unsafe and unserviceable shall be replaced prior to de-trunking.</p> <p>3.14 CCC as LHA requests that the expected standards and procedures noted at paragraphs 3.12 and 3.13 above are provided for in a separate legal agreement.</p>
Applicant Comment	<p>3.4 The Applicant acknowledges that discussions with CCC as LHA are ongoing in relation to the specific requests for revisions to the dDCO [REP1-003] and in relation to the legal agreement setting out the handover process referred to. The Applicant does not accept that it is necessary to include any further protection within the dDCO for the benefit of CCC as LHA and the Applicant maintains its view that the terms of the legal agreement, when completed, will be sufficient to govern the relationship between the two parties and the handover of assets.</p> <p>3.5 The Applicant is of the view that both parties would benefit from a clear handover process and to that end the Applicant drafted a legal agreement with CCC and shared a copy of this draft on 11 June 2021. Comments from CCC on that legal agreement (and dDCO) were received by the Applicant on 17 September 2021. The Applicant is in the process of reviewing comments on both the dDCO and the legal agreement in order to continue discussions with CCC.</p> <p>3.6 As noted above, the legal agreement will set out a clear process for the handover of assets. It is the Applicant's view that the legal agreement is sufficient and there is no additional need to have this secured within the dDCO.</p> <p>3.7 As noted above, the legal agreement will set out a clear process for the handover of assets. It is the Applicant's view that the legal agreement is sufficient and there is no additional need to have this secured within the dDCO.</p> <p>3.8 As noted above, a draft of the legal agreement was shared with CCC on 11 June 2021 and it is the Applicant's intention to complete the terms of the legal agreement within the Examination period so the issues of securing the process at a late stage should be avoided.</p> <p>3.9 The Applicant notes CCC's comments.</p>

Reference Number	Written Representation/Applicant Comment
	<p>3.10 The land referred to in this paragraph is a result of a historical issue where the existing A428 has been straightened over the years leaving the original sections as highway.</p> <p>The extent of highway to be handed over at the point of de-trunking will be agreed and be dealt with as part of the legal agreement with CCC.</p> <p>3.11 The difficulty highlighted by CCC is noted and it is proposed that the timing of de-trunking and handover of new local roads is addressed in the legal agreement between the parties. By setting out controls within the legal agreement, it is anticipated that the above situation could be avoided.</p> <p>3.12 – 3.14 The finer details of the lighting within assets to be handed over from the Applicant to CCC is the subject of discussions between the parties and where agreement can be reached as a result of those discussions this could be captured within the legal agreement as suggested by CCC.</p>
REP1-048aa	<p><u>The limits of deviation applicable to the Scheme and construction in accordance with the DCO plans</u></p> <p>3.15 Article 9(1)(a) of the draft DCO (<b>APP-025</b>) allows lateral deviation “from the lines or situations of the authorised development shown on the works plans to the extent of the limits of deviation shown on those plans”. There is a similar article in the A14 DCO. During the construction of the A14 scheme many of the routes of diverted PROW (and indeed of some local roads) that were specified in the DCO, were constructed on different alignments both within and outside of the limits of deviation of the scheme.</p> <p>3.16 As with the A14 scheme, the PROW for the Scheme are shown on the Streets, Rights of Way and Access Plans (<b>APP-013</b>) and not on the Works Plans (<b>APP-009 and APP-010</b>) where the limits of deviation are detailed and to which Article 9(1)(a) refers. It is therefore unclear whether or how the limits of deviation apply to the PROW. The position is further complicated when article 9(1)(a) is read alongside the provisions of articles 14(7) and 18(2)(a) of the draft <b>DCO (APP-013)</b>. Both those provisions require the construction of the PROWs set out in Part 7 of Schedule 3 and Part 2 of Schedule 4 to be constructed in specific places – in the case of article 14(7) as “<i>identified on the streets, rights of way and access plans</i>” and in the case of article 18(2)(a) between the specific points set out in column (4) of Part 2 of Schedule 4 as shown on the streets, rights of way and access plans. In the A14 instance, this has given rise to extended legal questions about (i) whether the DCO has empowered the undertaker to construct routes on different alignments to what was specified in the equivalent plans certified for that DCO; and (ii) the implications as to how the changed routes of these diverted highways can be given legal effect on the Definitive Map and Statement (DM&amp;S) for which the relevant surveying authority (i.e. the LHA) is responsible.</p>

Reference Number	Written Representation/Applicant Comment
	<p>3.17 Under section 53 of the Wildlife and Countryside Act 1981, any changes to the DM&amp;S must be effected through a Legal Event Modification Order (LEMO). In this case the DCO is the relevant legal event and a new PROW, if constructed on the alignments specified in the DCO <i>Streets, Rights of Way and Access plans (APP- 013)</i> and as listed in the DCO schedules <b>(APP-025)</b>, will be incorporated into the DM&amp;S via LEMOs made by the LHA.</p> <p>3.18 However, as the PROW are not detailed on the <i>Works plans</i> and the <i>Streets, Rights of Way and Access plans (APP-013)</i> do not include limits of deviation, CCC as LHA's experience is that article 9(1)(a) as drafted does not provide a clear mechanism as to the authority by which any changes to the alignments of PROW as shown in the DCO can be legally made. Consequently, it will not be possible for any such changes to be legally evidenced for inclusion on the DM&amp;S.</p> <p>3.19 The A14 scheme has resulted in a large number of significant deviations from the DCO alignment, mainly affecting PROW, many within the limits of deviation and some outwith it. In order for the stopping up and PROW extinguishment to take effect, in some cases, it is a pre-condition that substitute PROWs are provided (article 18(2) and Schedule 4). In such cases, where those substitutes have not been constructed in accordance with the alignments specified in the DCO, the original lines on the DM&amp;S are incapable of being legally stopped up.</p> <p>3.20 CCC as LHA is advised that any changes to the DCO-specified location or alignment of new highway provisions (including PROW), or private means of access (PMAs), could be resolved through a prospective application for a non-material amendment (NMA) to the DCO (if the deviation can be considered non-material). However, once works have commenced, CCC as LHA is of the understanding that any deviations from the DCO are likely to have to be remedied through the separate provisions of the Highways Act 1980 (HA1980) or the Wildlife and Countryside Act 1981 (WCA1981). Such changes particularly impact on PROW where individual legal remedies can be extremely variable and complex depending on the issue and landowners affected. In the case of the A14 scheme, this has resulted in approximately 28 additional individual legal events being needed to regularise the deviations.</p> <p>3.21 In such a scenario, the LHA would expect the costs of regularising the position to be met by the Applicant. The cost and resource implications on the amount of administrative and legal work that are required to process the necessary changes to the new highway network under HA1980 or WCA1981 can quickly build and outweigh any initial cost-saving that might have been envisaged through value engineering or other reasons in the initial decision to diverge from the route specified in the DCO. This is not in either party's interest.</p> <p>3.22 The burden of carrying out such procedures rests with the LHA as the relevant order-making authority. Furthermore, it should be noted that the relevant legal procedures under HA1980 and WCA1981 are public processes that have no guaranteed outcome. Thus, the burden of risk for their successful completion rests not on</p>

Reference Number	Written Representation/Applicant Comment
	<p>the Applicant, but on the LHA. This is an unacceptable outcome for CCC as LHA, and costs for corrective legal orders will be sought from HE.</p> <p>3.23 CCC as LHA therefore seeks the following:</p> <p>3.23.1 the proposed limits of deviation to apply to PROW are submitted to the Examination for consideration by Interested Parties;</p> <p>3.23.2 the draft DCO is amended so that the limits of deviation applying to PROW are clear in Article 9 of the draft DCO – the Councils submit this may need to be accompanied by modifications to the Streets, Rights of Way and Access plans (<b>APP-013</b>) so that each PROW shown on those plans has a specified limit of deviation. This would mirror the approach adopted for utilities diversions where a specific limit of deviation for each of those works is shown (in blue) on the Works Plans (<b>APP-009 and APP-010</b>);</p> <p>3.23.3 the Applicant reviews the interaction of articles 9(1), 14(7) and 18(2)(a) and if they are to be retained in their current form, explains the interaction to the Examination;</p> <p>3.23.4 the Applicant commits to a formal process whereby CCC is consulted early on in the detailed design process, is consulted on value engineering and is required to formally sign off any changes that would result in a divergence from the DCO alignments outside the limits of deviation;</p> <p>3.23.5 Article 9(2) of the draft DCO is amended so that where the alignment of highways other than a special road or a trunk road is amended outside the limits of deviation, requires the certification of the LHA as well as the Secretary of State; and</p> <p>3.23.6 the Applicant commits to providing appropriate support and resource to the LHA if further legal events are required to process the necessary changes under the HA1980 or the WCA1981.</p> <p>3.24 All alterations to the alignment of PROW will be scrutinised very closely prior to and during the consideration of requests to certify completion of works under the proposed amendments to article 13 (see paragraph 3.4 above).</p>
Applicant Comment	<p>3.15-3.22: The Applicant cannot comment on the A14 scheme or any specifics of that scheme. However, the Applicant notes that on this Scheme many of the proposed PROWs/NMU routes are connected to carriageway infrastructure or will be provided within existing highway e.g. School Lane as shown on Sheet 1 of the Streets, Rights of Way and Access Plans [<b>APP-013</b>]. It should also be noted that as the majority of PROW to be provided by the Scheme connect into existing PROW the ability for the ways to be provided in completely different locations is, in practice, somewhat limited. Given this connection to the new infrastructure, which is already subject to the limits of deviation</p>



Reference Number	Written Representation/Applicant Comment
	<p>in accordance with Article 9 of the dDCO <b>[REP1-003]</b> it is the Applicant's current view that these limits of deviation should also expressly apply to the routes as shown on the Streets, Rights of Way and Access Plans. The Applicant is considering this approach further and will provide updated drafting to the dDCO <b>[REP1-003]</b> at Deadline 4 to reflect the outcome of this and to make this clear.</p> <p>Given the application of limits of deviation to the PROW/NMU routes to be provided to the Scheme, the Applicant notes the comments made by CCC in relation to updating the DM&amp;S and as such the Applicant will provide 'as built' drawings to CCC so that these can be used for the purposes of the LEMO and to ensure that CCC has a record of what has been constructed. The Applicant will update the drafting of the dDCO in line with Deadline 4 to reflect this.</p> <p>3.23: As noted above, the Applicant will provide an amended dDCO at Deadline 4 to reflect the fact that the limits of deviation will apply to the PROW/NMU routes as shown on the Streets, Rights of Way and Access Plans. As noted, during Issue Specific Hearing 2, it is the Applicant's view that the existing limits of deviation as shown on the Works Plans <b>[APP-090 and APP010]</b> could be applied to the PROW/NMU routes and that separate limits of deviation for each PROW/NMU route are not necessary. However, given the concern raised by the Examining Authority in relation to this approach, the Applicant is considering this further. Although, it should be noted that the proposed PROW/NMU routes for this Scheme are, in a majority of cases, being provided as part of a new carriageway (in the case of a footway/cycleway) or where it will connect to an existing PROW and as such the flexibility as to where the right of way can be located is limited by the need to connect to the existing way.</p> <p>In accordance with Article 9 of the dDCO consent from the Secretary of State is required where the limits of deviation are exceeded (subject to there being no materially new or materially different environmental effects from those that were reported in the environmental statement) and that this is subject to consultation with the local planning authority. However, as the limits of deviation will apply to the PROW to be constructed as part of the Scheme, the Applicant will amend the drafting of Article 9 so that it is clear that the local highway authority is also consulted where the change is relevant to their function. This approach should provide CCC with the comfort necessary to be clear that its views will be considered by the Secretary of State in relation to any decision regarding an exceedance of the limits of deviation.</p> <p>In making the change described above to Article 9 of the dDCO <b>[REP1-003]</b>, the Applicant will consider whether any additional changes need to be made to Articles 14(7) and 18(2)(a) to reflect the operation of the limits of deviation to the PROW/NMU routes within the Scheme.</p> <p>3.24: The comment from the Cambridgeshire authorities is noted.</p>



Reference Number	Written Representation/Applicant Comment
REP1-048ab	<p data-bbox="539 379 1211 411"><u>Liability for maintenance of private vehicular accesses</u></p> <p data-bbox="539 427 2047 879">3.25 Article 13(3) of the draft DCO (<b>APP-025</b>) appears to be a repeat of article 13(2), as footpaths, cycle tracks and bridleways are all highways. CCC as LHA considers it likely that this article is intended to address non-motorised user (NMU) routes that share a surface with private vehicular means of access. For reference, the equivalent article in the A14 DCO reads (emphasis added): “(3) Subject to paragraphs (6), (7) and (8), where a footpath, cycle track or bridleway is altered or diverted under this Order <i>along a vehicular private means of access</i>, the altered or diverted part of the highway must, when completed to the reasonable satisfaction of the highway authority and unless otherwise agreed in writing, be maintained (including any culverts or other structures laid under that part of the highway) by and at the expense of the person or persons with the benefit of the vehicular private means of access”. The issue of NMU routes running over private accessways does not appear to be addressed elsewhere in the draft DCO (<b>APP-025</b>), and therefore this appears to be an error of drafting. CCC as LHA therefore objects to the wording of this article, requests that article 13(3) of the draft DCO is amended to include the italicised wording quoted above to clarify that any PROW that is diverted or created on the route of a private vehicular means of access must be maintained by and at the expense of the person or persons with the benefit of the private vehicular means of access.</p> <p data-bbox="539 895 2047 1214">3.26 It is welcomed that article 13 (7), (8) and (9) explicitly outline the areas of future responsibility for different parts of bridge structures. Notwithstanding this, CCC objects to the wording of article 13(9). It is unreasonable for CCC as LHA to assume maintenance responsibility for the surface of a shared private vehicular access that also carries public foot, equestrian or cycle traffic, given that liability for a vehicular surface is far higher than that for a NMU route. It is requested that this section of the draft DCO (<b>APP-025</b>) is re-worded so that the surface of the shared private vehicular access is maintained by the persons with the benefit of that vehicular access or by the Applicant. The latter position is the case in the A14 DCO where article 11(8) provides: “<i>In the case of a bridge constructed under this Order to carry a private right of way (whether or not it also carries a footpath, cycle track or bridleway), the surface of the street and the structure of the bridge must be maintained by and at the expense of the undertaker</i>”.</p>
Applicant Comment	<p data-bbox="539 1254 2047 1409">3.25 – 3.26: The Applicant is considering the points raised by CCC further and in particular in relation to the appropriate maintenance split that should occur on the specific structures or elements that may share a PROW/NMU route with a private means of access. The outcome of this further consideration will either be captured within the updated dDCO to be provided at Deadline 4, if appropriate, or will be the subject of the ongoing discussions with the Cambridgeshire authorities and those discussions will be captured in the Statement of Common Ground to be submitted at Deadline 4.</p>

Reference Number	Written Representation/Applicant Comment
REP1-048ac	<p><u>DCO Schedules and Plans (APP-025)</u></p> <p>3.27 Schedule 1 of the draft <b>DCO (APP-025)</b> also includes references to the diversion of utility infrastructure, such as underground cabling. It is notable from review of the Works Plans (<b>APP-009 and APP-010</b>) that a number of these works are proposed to be located a considerable distance away from the new local highways (for example, works numbers 95 and 100). CCC as LHA wishes to clarify that it will not adopt land that is surplus to highway requirements simply because it provides access to utility infrastructure.</p> <p>3.28 It is notable that the draft DCO Streets, <i>Rights of Way and Access</i> plans (<b>APP-013</b>) do not show any fixed or proposed boundaries for any of the new local roads to be delivered. Only the carriageways are shown as forming part of the new local roads. It is essential for CCC as LHA to understand the full extent of the asset that it is proposed it will inherit, otherwise the implications of the scheme for the LHA's highway maintenance service cannot be fully understood. It is of particular concern that the draft DCO <i>Land Plans</i> (<b>APP-008</b>) show large tracts of countryside alongside proposed new local roads as being purchased for the delivery of the Scheme. There should not be an assumption that CCC as LHA will adopt land just because it is adjoining the local road network and may be remote from the trunk road network. CCC as LHA is only able to adopt land that is required for the operation of the highway. Clarification over the highway and land assets that are anticipated to be offered to the LHA would be welcome. The inclusion of a proposed local road boundary in the <i>Streets, Rights of Way and Access plans</i> (<b>APP-013</b>) would assist with this and would present a starting point for discussions between CCC as LHA and the Applicant with a view to formally agreeing the boundaries of new local highway assets.</p> <p>3.29 The provision of proposed local highway boundaries would also bring benefits for adjoining private landowners, and indeed for the Applicant, by adding some clarity over the areas of responsibility for newly delivered infrastructure once the works are completed. For example, numerous accommodation features and PMAs are proposed in the draft DCO (<b>APP-025</b>) and it must be clear to the beneficiary landowners what part of those new features they will be responsible for. It cannot be assumed that the LHA will become the maintainer of PMAs or other features that serve private land only, or that act as replacement provisions for pre-existing private features.</p> <p>3.30 As such it is a requirement of CCC as LHA that the Applicant undertakes to establish a technical working group with CCC (and other LHAs as necessary) to discuss and agree all highway asset boundaries that are affected by the proposed A428 works. Such a working group should be convened prior to the detailed design stage. This will promote an understanding of asset responsibilities across all stakeholders, and will reduce the risk of delays to the 'handover' of completed new assets to the LHA (under article 13 of the draft DCO (<b>APP-025</b>)). This approach has been deployed during the A14 improvement scheme and has the benefit of ensuring that when any works are</p>

Reference Number	Written Representation/Applicant Comment
	<p>proposed to be handed over to the LHA, there is a clear understanding on the part of both the constructor and the adopter regarding the extent of the highway in question, and the maintenance responsibilities for asset infrastructure within the area. CCC as LHA requests that this matter is provided for in a legal agreement but sees no reason to wait to start this work.</p> <p>3.31 In respect of Schedule 1, Part 1 ('Authorised Development'), the draft DCO (<b>APP- 025</b>) refers to the delivery of landscaped areas as part of the Scheme, with further detail given in Schedule 2, Part 1 ('Requirements'). Landscaped and planted areas frequently fall within highway verges and therefore CCC requests that the Applicant engages proactively with the LHA in respect of landscaping proposals, as well as the District Councils as LPAs. It is requested that the draft DCO (<b>APP-025</b>) is amended to include an element of consultation with the LHA.</p>
Applicant Comment	<p>3.27: It is not the intention of the Applicant to ask CCC as LHA to adopt non-highway land. The exact boundaries for adoption will be addressed within the legal agreement to be completed between the parties as these will be the subject of detailed discussions.</p> <p>3.28: The extent of the highway to be transferred over to CCC will be addressed within the legal agreement to be completed between the parties.</p> <p>3.29: There is no intention by the Applicant to seek that CCC as local highway authority maintain any private means of access to privately owned property.</p> <p>3.30: Local technical review groups and joint technical working groups are already established and governance agreed by the Strategic Stakeholder board (which includes CCC). In addition, the Applicant has been in discussions with CCC in relation to the details of the highway assets to be handed over and will include the extent of the boundaries of those assets to be handed over as part of those discussions. It is anticipated that any agreement on these elements will be captured within the legal agreement between the parties.</p> <p>3.31: The Applicant notes CCC's request to be consulted on the landscaping scheme required by Requirement 6 of the dDCO [<b>REP1-003</b>] and will consider this further. Although it should be noted it is the Applicant's view that such a consultation role should be limited to those elements of the landscaping scheme that would be of concern or relevance to CCC in its role as the local highway authority.</p>

Reference Number	Written Representation/Applicant Comment
REP1-048ad	<p><u>Streets, Rights of Way and Access Plans (APP-013) – revisions to be considered</u></p> <p>3.32 <i>Streets, Rights of Way and Access</i> plan 6 – reference FC (APP-013) - Highway rights on the section of the existing alignment of the B1046 where it is co-existent with the proposed new emergency slip to the westbound A428 carriageway are not shown on the plans as being stopped up. This should be rectified, otherwise there may be a risk that public highway rights will remain in place over an emergency slip road that the Applicant will require to be closed to the public.</p> <p>3.33 <i>Streets, Rights of Way and Access</i> plan 11 – reference KB, KC (APP-013) - Highway rights on the section of the existing alignment of Toseland Road where it is co-existent with the proposed new emergency slips to the westbound and eastbound A428 carriageways are not shown on the plans as being stopped up. This should be rectified, otherwise there may be a risk that public highway rights will remain in place over the emergency slip roads that the Applicant will require to be closed to the public. It is noted that these slip roads do serve part of the proposed diversion route for footpath 278/7, so any extinguishment of public rights would need to ensure a right of way on foot is retained.</p>
Applicant Comment	<p>3.32 The Applicant proposes the section of highway with the reference FC on Sheet 6 of the Streets, Rights of Way and Access Plans [APP-013] is to be reclassified as a trunk road with prohibition traffic regulation measures preventing unauthorised use except in an emergency as detailed in the dDCO [APP-025] and as shown on the Traffic Regulation Measures Plans [APP-014].</p> <p>3.33 The Applicant proposes the section of highways with the references KB and KC on Sheet 11 of the Streets, Rights of Way and Access Plans [APP-013] is to be reclassified as a trunk road with prohibition traffic regulation measures preventing unauthorised use except in an emergency as detailed in the dDCO [APP-025] and as shown on the Traffic Regulation Measures Plans [APP-014].</p> <p>The Applicant proposes footways along the section of highways to be used as emergency slip roads.</p>

Reference Number	Written Representation/Applicant Comment
REP1-048ae	<p>4. <b>HIGHWAY DESIGN</b></p> <p>4.1 [The Applicant should commit to comply with the "Vision Zero" strategy published by the Cambridgeshire and Peterborough Vision Zero Partnership (July 2020).</p> <p>4.2 The Applicant and CCC as LHA have not yet agreed matters relating to highway design and standards. The Applicant did not submit their preliminary design proposals to CCC as LHA for comments until August 2020 for the five Local Road Packages as follows:</p> <p>4.2.1 Package 1 B1046 and Potton Road Junction</p> <p>4.2.2 Package 2 Cambridge Road Junction</p> <p>4.2.3 Package 3 Toseland Road</p> <p>4.2.4 Package 4 B1040 Eltisley Road Junction</p> <p>4.2.5 Package 5 Caxton Gibbett Junction</p> <p>4.3 Each Package comprised a Technical Note (<b>TN</b>) to explain the preliminary design rationale and a series of drawings outlining the proposals. A Technical Review of these proposals was undertaken which revealed that they included unnecessary departures from standards for carriageway width / cross section. This had not previously been disclosed to CCC as LHA. The first technical meeting to discuss local road design took place on 1 October 2020, with a further meeting on 12 October 2020 and the last pre-application meeting on 18 December 2020. During this period CCC as LHA issued detailed comments to the Applicant in an attempt to agree matters, but many issues remain unresolved as outlined below.</p> <p>4.4 The DCO application does not accord with the required design principles and contains unnecessary departures from acceptable standards for carriageway widths / cross section. In particular, at several locations the proposed carriageway width is 6 metres whereas the standards require the carriageway width to be 7.3m plus 1.0m hard strips. This departure has implications for safety and emergency services' operations. Further detail follows in sections 4.6 and 4.7.</p>
Applicant Comment	<p>4.1 The Applicant requests that Cambridgeshire County Council provides justification as to why the Applicant should commit to comply with Vision Zero beyond their own aims and objectives.</p>

Reference Number	Written Representation/Applicant Comment
	<p>The strategic highways network is operated, maintained and managed by National Highways. One of National Highways' imperatives is the aim that by 2040 no one is to be killed or seriously injured while travelling on or working on the network. The Applicant has considered this aim throughout its proposals. This aligns with the principles set out in Vision Zero that no human being should be killed or seriously injured as the result of a road collision and sets ambitious targets for a 50% reduction in people killed and seriously injured by 2030 and working towards zero fatalities and severe injuries by 2040.</p> <p>4.2 The Applicant notes the comments made.</p> <p>4.3 The Applicant notes the comments made.</p> <p>4.4 The Applicant has designed the roads in accordance with Design Manual for Roads and Bridges (DMRB) being the appropriate standard to be complied with and as CCC has confirmed is required. The non-trunk roads (B1046/Potton Road, Toseland Road and the B1040) have been designed to suit the nature of the existing road, which in some cases are old roads, that have not been designed to any standard. The Applicant is committed to keeping the nature of the existing road to remove unnecessary safety risks. Having localised areas of wider road has been shown to increase driver speeds and increase the temptation for drivers to attempt overtaking which may lead to accidents. The Applicant has undertaken a Road Safety Audit <b>[APP-241]</b> and no safety concerns were raised as to the 6m minimum width of non-trunk roads.</p> <p>The Applicant has designed the local roads to reduce the risk of a driver conflicting with oncoming traffic at the tie-ins, or during an overtaking manoeuvre. The A14 improvements scheme, also undertaken by the Applicant and in the authority of CCC, identified overtaking and carriageway issues within the Road Safety Audits. On this Scheme the Applicant has incorporated a reduced paved width following similar comments made by a separate Road Safety Audit team. It is the Applicant's view that design standards should not be applied without due regard to the nature and character of the road.</p> <p>The existing roads on the B1046/Potton Road, Toseland Road and B1040 are all less than 7.3m wide throughout. This would imply that CCC are suggesting that the majority of rural roads are unsafe and has implication on emergency services' operations.</p> <p>Similar local roads that were constructed as part of the A14 Huntingdon to Cambridge Scheme with wider carriageways have, as a result of Road Safety Audits, been amended post-construction. Amendments include the use of double white lines to prevent inappropriate overtaking and warning signs have had to be erected on the widened sections to advise of narrow roads ahead.</p>

Reference Number	Written Representation/Applicant Comment
REP1-048af	<p>4.5 The principles which CCC as LHA requires to be applied in the design and construction of the Scheme's local roads within CCC's boundary are:</p> <p>4.5.1 Consistent application of Highways England's Standards for Highways standards and specifications as follows:</p> <ul style="list-style-type: none"> <li>(a) Design Manual for Roads and Bridges (DMRB)</li> <li>(b) Manual of Contract Documents for Highway Works (MCHW)</li> <li>(c) Interim Advice Notes (IAN)</li> </ul> <p>Full compliance with standards wherever possible, with appropriate justification for any divergence. Departures from standard are not justified for carriageway width / cross section. A compliant design is realistically achievable. Further detail follows in sections 4.6 to 4.9.</p> <p>4.5.2 The methods of highway drainage should be considered at the preliminary design stage as they are linked to other factors, for example the extent of hard strips and the application of a balanced carriageway or superelevation. This is not currently considered in the application. Further detail follows in section 4.10.</p> <p>4.6 Local Road Highway Design Principles Applying to the Scheme</p> <p>4.6.1 This section describes the highway design principles that CCC, as Highway Authority for the proposed local roads within Cambridgeshire, advised the Applicant of and responds to the supplementary Technical Note (Ref. HE551495-ACM-HSR-GEN_Z_Z_ZZ-TN-CH-0004) prepared in late December 2020 by AECOM on behalf of the Applicant outlining the basis of determining the side road carriageway cross section widths used in the preliminary design.</p> <p>4.6.2 The DMRB, IAN and MCHW provide standards and specifications applicable to the strategic road network. DMRB, IAN and MCHW are also applied to many local roads nationally by Highway Authorities, including Cambridgeshire. DMRB document GG101 <i>Introduction to the Design Manual for Roads and Bridges</i> provides for this, stating on Page 7 (Definitions) "NOTE 2: Where a local highway/road authority decides to use the DMRB in whole or part for development of its own highway/road network, the Overseeing Organisation is defined in accordance with their own procedures." The County Council as the Overseeing Organisation (Highway Authority) for local roads determines the extent to which DMRB is applied. It is particularly appropriate for those local roads affected by the A428 scheme which are primarily rural rather than urban in nature. The local roads associated with the Applicant's recent A14</p>



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	<p>Cambridge to Huntingdon (A14 C2H) Improvement scheme, contained wholly within Cambridgeshire, used these standards and specifications.</p> <p>4.6.3 The Applicant has erroneously also referred to Manual for Streets (MfS) in the design of the local roads. This is not considered to be appropriate for use in rural and inter-urban locations as it is intended for the public realm and urban locations. The principles of MfS include <i>“Applying a user hierarchy to the design process with pedestrians at the top. This means considering the needs of pedestrians first when designing, building, retrofitting, maintaining and improving streets.”</i> Clearly this principle is not appropriate for the A428 scheme and none of the affected local roads could be deemed to be “streets” in that context and the scheme should be designed to DMRB standards.</p> <p>4.6.4 The local roads for which CCC is to be LHA must be designed and built in accordance with DMRB, IAN and MCHW. Other standards/specifications must not be applied unless specifically requested by CCC. Such requests typically would relate to matters of detail, for example, the type of road surface course materials.</p> <p>4.6.5 The original TNs provided in August 2020 state a cut-off date of October 2019 for incorporating changes to the Standards for Highways used in the Scheme design. This cut-off date was not discussed with CCC as LHA. The supplementary TN provided in December 2020 refers to standards that were updated after the cut-off date; for example TD27/05 was replaced by CD127 in November 2019 and revised in March 2020. The Applicant is requested to clarify the conflicting information and agree a cut-off date with CCC for the design standards applying to local roads.</p>
Applicant Comment	<p>4.5.1 and 4.5.2 - Please refer to Relevant Representation Response RR-013/048/100bn in the Applicant's Response to Relevant Representations <b>[REP1-021]</b>, submitted at Deadline 1.</p> <p>4.6.1 to 4.6.4 – The Applicant notes the Cambridgeshire authorities comments on matters relating to engagement and design standards.</p> <p>4.6.5 The Applicant can clarify that the cut-off date for the inclusion of changes to the Standards for Highways used for the preliminary design of the Scheme as included in the Application was November 2019. References have been made to newer standards in subsequent Technical Notes, for instance CD127, to allow comparison. In the case of TD27/05 and CD127, the newer standard had no fundamental changes that would have affected the design of the side roads.</p>

Reference Number	Written Representation/Applicant Comment
REP1-048ag	<p>4.7 Departures from Standards (DfS): Cross Section – carriageway width</p> <p>4.7.1 The Applicant's proposals include several DfS relating to DMRB Standard TD27/05 Cross Sections and Headrooms, which CCC as LHA understands from the Applicant was the standard that was current at the time the design decisions were taken. DMRB Standard TD27/05 requires that any departures from Standard TD27/05 relating to the cross-section of a side road, which is not a trunk road and is diverted or improved as part of a trunk road scheme must be agreed with the relevant highway, planning and technical approval authorities.<sup>1</sup> The Applicant has not reached agreement on this matter with CCC as LHA.</p> <p>4.7.2 DMRB Standard TD27/05 permits a DfS only in exceptional circumstances where the relevant Overseeing Organisation agrees that the standard including permitted relaxations is not realistically achievable. Organisations wishing to consider pursuing a DfS must discuss this at an early stage in design with the Overseeing Organisation. Proposals to adopt a DfS must be submitted by the organisation to the Overseeing Organisation and formal approval received before the DfS is incorporated into a design layout.<sup>2</sup> This is also reflected in the current standard.<sup>3</sup> It is not appropriate for the Applicant to decide to adopt a DfS in relation to roads for which CCC will be the LHA without CCC's agreement. (TD27/05 Clause 5.1.4 states "The Cross-section of a side road, which is not a trunk road and is diverted or improved as part of a trunk road scheme must be agreed with the relevant highway, planning and Technical Approval Authorities." This Clause is contained within a box and is therefore a mandatory requirement.)</p> <p>4.7.3 Despite these mandatory requirements CCC, as the Overseeing Organisation for local roads in Cambridgeshire, was not consulted on this proposal until August 2020. CCC as LHA's response to this consultation in October 2020 clearly explained why the Departures are not acceptable in principle. The Applicant has not provided sufficient evidence to demonstrate that there are "exceptional situations" that necessitate DfSs; that permitted relaxations have been considered; and that a compliant design "is not realistically achievable". In addition, the Applicant did not obtain approval from CCC for the DfSs before incorporating them into the Application design layouts.</p> <p>4.7.4 The Applicant's TN dated December 2020 quotes the following:</p> <p><i>"Highways England's current standard CD 127 "Cross-sections and headrooms" states the following under Section 1, Scope:</i></p> <p><i>1.1 This document provides requirements and advice for the cross-sections and headrooms that shall be used for both new and improved motorways and all-purpose trunk roads including connector roads.</i></p>

Reference Number	Written Representation/Applicant Comment
	<p>1.3 <i>The cross-section and headrooms of roads that are not motorways or all-purpose trunk roads and are diverted or improved as part of a trunk road scheme shall be agreed with the highway authority for that road.</i></p> <p><i>CD 127 further states the following under Section 2, Highway cross-section:</i></p> <p>2.1.1 <i>Numerous changes in the cross-section and its components are not desirable along a route and a consistent width should be provided.</i></p> <p><i>The SRN has a fundamentally different role to the local road network.</i></p> <p><i>Most existing country roads are not built to current standards and have narrow carriageways, poor visibility and tight geometry.</i></p> <p><i>The combined effect of a widened carriageway cross section, improved horizontal geometry and improved forward visibility is that it would give drivers an opportunity to increase their speed and encourage overtaking. If the alignment then went back into the existing cross section drivers may easily continue their higher speed which would be inappropriate for the lower standard existing road(s) beyond.</i></p> <p><i>It is standard practice throughout the country to maintain a consistent carriageway width for side road diversions, including at any new structures, in accordance with CD 127 2.1.1. A lane width of 3.0 metres is considered the absolute minimum width appropriate for all vehicle types and would allow all but the largest agricultural vehicle to pass side by side without running on the verges. Therefore, if existing road widths are less than 6m, then a minimum overall carriageway cross section width of 6m has been adopted. Where existing side road widths are generally wider than 6m, then the existing width has been adopted."</i></p> <p>4.7.5 CCC as LHA agrees with the design philosophy contained within the DMRB, but considers that the Applicant has incorrectly interpreted and applied it to rural local roads within CCC's area for the following reasons:</p> <ul style="list-style-type: none"> <li>(a) There will not be numerous changes in the cross section and its components along a route. Full compliance with the standards would mean only one change from the existing width to 7.3m at each tie-in, which shall be applied over the standard taper length.</li> <li>(b) The existing rural local roads were not built to current standards because they pre-date those standards by many years.</li> <li>(c) The existing geometry at Toseland Road, the B1046, Potton Road and the B1040 is not "tight" neither is "visibility poor"; see section 4.11 below for the detailed assessment.</li> </ul>

Reference Number	Written Representation/Applicant Comment
	<p>(d) Providing the standard carriageway width of 7.3m for the full extent of the local road diversions will, contrary to the statements made by the Applicant, comply with "...standard practice throughout the country to maintain a consistent carriageway width for side road diversions, including at any new structures."</p> <p>(e) A lane width of only 3.0m is the absolute minimum, but not recommended as the Applicant's traffic flows indicate significant volumes of HGV traffic. When passing side by side HGVs would be extremely close to the edge of the carriageway, thereby increasing the risk of pavement instability beneath the wheel tracks (with associated additional maintenance costs).</p> <p>(f) A lane width of only 3.0m at locations adjacent to Non-Motorised User (NMU) facilities with highway drainage comprising kerbs and gullies would mean that the gullies would be directly under the wheel tracks, thereby increasing the risk of damage to the gullies (with associated additional maintenance costs). The wheel tracks would be within the drainage path, so during heavy rainfall surface water is likely to be splashed across the NMU facility.</p> <p>(g) The proposed design speed for the new sections of rural local road is 100kph, which matches the existing and proposed National Speed Limit of 60mph.</p> <p>(h) DMRB Terms and definition states that a rural road is "...generally not subjected to a local speed limit." DMRB states that an urban road is "...within a built-up area either a single carriageway with a speed limit of 40mph or dual carriageway with a speed limit of 60mph or less." Undoubtedly the County Council's local roads are rural and shall be designed as such in accordance with Standards for Highways.</p>
Applicant Comment	<p>4.7.1 and 4.7.2 - The Applicant notes and accepts the Cambridgeshire authorities comments on matter relating to design standards.</p> <p>4.7.3 The Applicant held initial discussions with CCC in February 2018, where CCC advised that details of standards, design or matters could not be discussed without the governance for delivery being in place. The Applicant informed the Council of their intention to incorporate a reduce carriageway width in this meeting. In May 2018, the Applicant sent an example side road technical note for the Council review – no comments pertaining to the reduced carriageway were provided. In July 2019, the Applicant sent an example Departure from Standards relating to the reduce carriageway. The Applicant considers that isolated sections of widened roads will increase driver speeds and increase the temptation for drivers to attempt overtaking which may lead to accidents.</p> <p>4.7.4 The Applicant notes the Council's quotation from CD 127 Cross-sections and headrooms.</p>

Reference Number	Written Representation/Applicant Comment
	<p>4.7.5</p> <ul style="list-style-type: none"> <li>a) The Applicant notes the number of transitions that would be required by a wider carriageway.</li> <li>b) The Applicant notes the comment regarding the existing road pre-dating current standards (i.e. highway design standards). However, the Applicant maintains its view that the existing road does have a standard/character and therefore the DMRB should not be applied without any consideration of this.</li> <li>c) The Applicant notes the Council's comment.</li> <li>d) The Applicant does not agree with the Council's comment that the provision of a 7.3m wide carriageway is standard practice throughout the country. This is evidenced, for example, by the other local highway authorities involved in the Scheme, who have requested that a reduced width carriageway is provided. The Applicant is of the view that the standard in the DMRB, which is intended for the strategic road network with high speeds and volumes, should not be applied without due regard to the existing standard/character of the road. The proposed widths are required to mitigate against potential safety risks. Localised carriageway widening on local rural roads has been shown to lead to increased driver speeds and increased temptation for drivers to attempt inappropriate overtaking which may lead to incidents.</li> <li>e) The Applicant notes the Council's comment, however, does not agree that there are significant HGV traffic volumes on the roads with reduced paved width. In response to the Council's concerns, the Applicant proposes that either kerbs or a 300mm wide hardstrip edge treatment is provided to mitigate the risk of pavement instability.</li> <li>f) The Applicant's view is that the gullies will be designed to withstand loading from HGVs and that the risk of damage will be minimised. The Applicant notes the comments concerning splashing of water onto the NMU facility and suggests that this is only likely in the event of extreme rainfall in excess of the design return period for the gully spacing. The Applicant proposes separation to NMU facilities in accordance with DMRB CD143 which mitigates the effects of splashing.</li> <li>g) The Applicant notes the Cambridgeshire authorities comment.</li> <li>h) The Applicant notes the Cambridgeshire authorities comment.</li> </ul>
REP1-048ah	<p>4.8 Departures from Standards (DfS): Cross Section – hard strips</p> <p>4.8.1 Regarding hard strips, the current standard, CD127 Clause 2.6 NOTE 2 states the following:</p>

Reference Number	Written Representation/Applicant Comment
	<p><i>"A hard strip provides a surfaced strip that abuts the carriageway. The key reasons for the provision of hard strips include:</i></p> <ul style="list-style-type: none"> <li><i>1) pavement integrity/stability;</i></li> <li><i>2) partial provision for stopped vehicles;</i></li> <li><i>3) snow and water collection;</i></li> <li><i>4) overrun facility for driver error or evasive action;</i></li> <li><i>5) improved level of service and driver comfort;</i></li> <li><i>6) supports edge lines;</i></li> <li><i>7) reduces the risk of vegetation encroachment over edge lines; and</i></li> <li><i>8) allows for the placement of road studs outside vehicle wheel paths, where appropriate."</i></li> </ul> <p>4.8.2 Without the necessary hard strips the local roads will be lacking provision of the above operational safety and maintenance measures.</p> <p>4.8.3 In addition, TD27/05 Clause 2.6.3 (current at the time of the preliminary design) states as a mandatory requirement that <i>"The Design Organisation must ensure that the proposed cross-section and lane widths are adequate to enable maintenance to be undertaken safely. Care must be taken to ensure that where cyclists are permitted to use the designated lane, the width is adequate for this purpose."</i></p> <p>4.8.4 Maintenance/resurfacing work would have to be undertaken under full road closures to provide the necessary safe working widths, rather than simply using single lane working temporary traffic management. This is highly likely to result in an increased impact on road users and additional costs for CCC as LHA. In addition, the absence of hard strips would compromise the safety of cyclists with a lane width of only 3.0m and no adjacent NMU facility.</p> <p>4.8.5 The preliminary design packages containing unnecessary Departures for carriageway width / cross section were rejected and a fully compliant design was requested. This still has not been provided by the Applicant.</p> <p>4.8.6 The Applicant has not provided sufficient evidence to demonstrate that there are exceptional situations that necessitate Departures; that permitted Relaxations have been considered; and that a compliant design is not realistically achievable.</p>


Reference Number	Written Representation/Applicant Comment
Applicant Comment	<p>4.8.1 The Applicant notes the Cambridgeshire authorities reiteration of the design standards.</p> <p>4.8.2 The Applicant proposes a paved width that is conducive with the existing road. The collision history of the local roads do not suggest that the operational safety of the road is impaired by the lack of hardstrips. Furthermore, it is view of the Applicant that an increase paved width will increase speeds and opportunities for drivers to overtake which may lead to road traffic collisions, which would reduce the operational safety. The Applicant requests that the Council specifically justify how the lack of hardstrips will reduce operational safety when considering the existing road and its current nature and operation.</p> <p>4.8.3 The Applicant notes the Cambridgeshire authorities quote.</p> <p>4.8.4 – The Applicant agrees that the maintenance/resurfacing works would have to be undertaken under full road closure, similar to the existing situation. Providing an isolated section of wider paved width will not resolve this issue. Using full closures, which would have to be used on adjacent existing sections of road in any event, will remove any conflict between workers and road users and will therefore be safer.</p> <p>4.8.5 The Applicant proposes Departures from Standards in carriageway width / cross section and deem this necessary.</p> <p>4.8.6 The Applicant has designed the proposed new roads in accordance with the Design Manual for Roads and Bridges as there is no design standard specifically applicable to local rural roads.</p> <p>The Applicant has proposed Departures from Standards for new local rural roads in line with recommendations made by the Road Safety Audit team as mitigation for applying standards that are intended for the design of strategic roads which carry high volumes of traffic at high speeds. The Principal Designer agrees with the comments raised by the Road Safety Audit team regarding maintaining existing and consistent paved widths on local rural roads.</p> <p>The Applicant proposes Departures from Standards in paved width on the local, non-principle, roads to maintain the characteristics of the existing road. The Applicant proposes that the existing paved width (or a minimum width of 6m where the existing width is below this value) is provided.</p> <p>The proposed widths are required to mitigate against potential safety risks. Localised carriageway widening on local rural roads has been shown to lead to increased driver speeds and increased temptation for drivers to attempt inappropriate overtaking which may lead to incidents.</p>




Reference Number	Written Representation/Applicant Comment
	<p>This approach is not untypical and for example it has been adopted on the existing A421 to the west of the Scheme. In addition, this approach has been directed by both Bedford Borough Council and Central Bedfordshire Council for the new rural side roads required by the Scheme and under their authority.</p>
REP1-048ai	<p>4.9 Departures from Standards: The views of other local authorities</p> <p>4.9.1 The Applicant's Technical Note dated December 2020 states that "<i>The basis of design has been discussed and agreed with Bedford Borough Council and Central Bedfordshire Council for the side roads they are responsible for. The basis of design was not fully discussed with Cambridgeshire County Council as they were unable to engage without a Planning Performance Agreement in place.</i>" CCC side roads "...have been designed on the same basis as Roxton Road and Barford Road to maintain the existing carriageway width and the basic cross section."</p> <p>4.9.2 Other Local Authorities may have taken the view that there are exceptional situations that necessitate DfS within their jurisdiction, CCC as LHA has not been party to such discussions. The basis of design was not discussed at all with CCC as LHA prior to August 2020. The Applicant's team took the decision to design the side roads in CCC's administrative area on the same basis. CCC's comments on the proposed design were provided in a timely manner, well in advance of the DCO application. The Applicant has not taken account of them.</p>
Applicant Comment	<p>4.9.1 and 4.9.2 – The Applicant notes the comments made by Cambridgeshire County Council regarding other local authorities.</p> <p>In May 2018, the Applicant sent an example side road technical note for the Council review – no comments pertaining to the reduced carriageway were provided. In July 2019, the Applicant sent an example Departure from Standards relating to the reduce carriageway. At no point before August 2020 did the Council inform the Applicant, that the Design Manual for Road and Bridges were their required standards, or that they would not accept a reduced carriageway, only that the Applicant was working at risk and that a governance process was required.</p> <p>The Applicant maintains its view that isolated sections of wider roads will increase driver speeds and increase the temptation for drivers to attempt overtaking which may lead to accidents.</p>

Reference Number	Written Representation/Applicant Comment
REP1-048aj	<p>4.10 Highway Drainage</p> <p>4.10.1 It is important to consider the principles for the method of highway drainage at the preliminary design stage as they are linked to other factors, for example the extent of hard strips and the application of a balanced carriageway or superelevation. This was recorded as agreed by Highways England Safety, Engineering and Standards (SES) at the meeting on 18 December 2020. CCC understands that subsequent Value Engineering (VE) ideas may be proposed, as with the Applicant's A14 Improvement scheme, but establishing the principles now does not preclude this. Rather a clear set of principles will enable the Applicant's team to understand CCC's requirements to quickly determine the potential suitability of any VE proposal to avoid wasted time and money developing an inherently unsuitable idea.</p> <p>4.10.2 The principles that shall be adopted are as follows:</p> <ul style="list-style-type: none"> <li>(a) Positive drainage system comprising kerbs and gullies to be provided adjacent to all NMU facilities/separation strips, where the carriageway slopes towards that facility. Kerbs are to be provided where the carriageway slopes away from the NMU facility.</li> <li>(b) Where kerbs are provided adjacent to an NMU facility with the required separation strip then a 1.0m wide hard strip is not necessary as the edge restraint for pavement integrity/stability is provided by the kerb.</li> <li>(c) Combined kerb and drainage units are not permitted as they present an unnecessary maintenance liability.</li> <li>(d) Over the edge drainage systems are permitted, but only in the verge where there are no adjacent NMU facilities. A concrete surface water channel shall be provided in accordance with DMRB HA119/06 / CD521, Hydraulic design of road edge surface water channels and outlets, Revision 1, March 2020.</li> <li>(e) A drainage ditch shall be provided at the toe of embankments generally and to collect run-off from the outfalls of the over the edge drainage systems.</li> </ul>
Applicant Comment	<p>4.10.1 The Applicant has considered highway drainage in the preliminary design stage to ensure sustainable drainage systems are provided, and the necessary land is acquired. The highway drainage will be considered in more detail at the detailed design stage.</p> <p>4.10.2 Requirement 13 of the dDCO sets out that surface and foul water drainage schemes must be approved prior to commencement of the Scheme. CCC would be a consultee as far as the drainage related to them as highway authority. Information on design requirements will be passed to the Contractor's Designer through, amongst other</p>

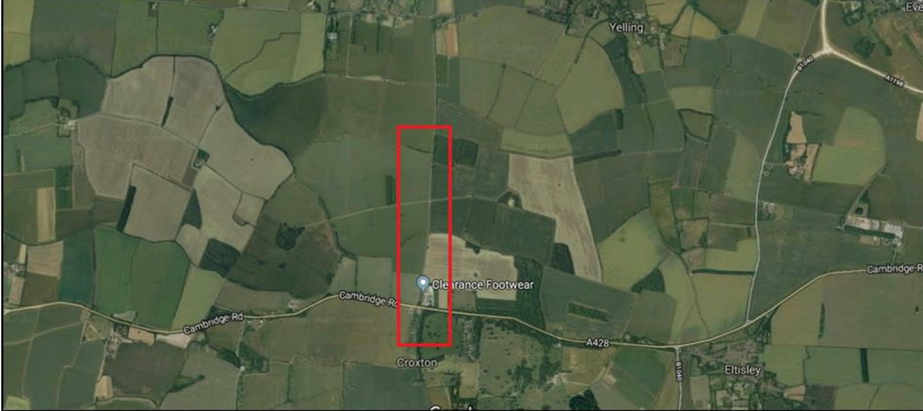
Reference Number	Written Representation/Applicant Comment
	<p>things, a Commitments Register, the Applicant's change process and the Contractor will set-up and progress direct engagement the highway authorities including CCC. The Applicant notes the principles stated by the Cambridgeshire authorities and those will be considered at detailed design. The Applicant notes the use of combined kerb and drainage units on sections of the recently completed (October 2018) A142 Ely Southern Bypass, a CCC promoted road, as one example of the use of combined kerb drainage units on CCC adopted roads.</p>
REP1-048ak	<p>4.11 Location Specific Assessments: Package 1 B1046 and Potton Road Junction</p> <p>4.11.1 The Applicant's Technical Note (TN) dated 19th February 2020 Revision P03 Status S3 Document ID: HE551495-ACM-GEN-A428_Z_Z_ZZ-TN-CH-0001 Title: B1046 and Potton Road Junction states in Table 3.1 the following alignment design parameters:</p> <ul style="list-style-type: none"> <li>(a) Total length of improvements is 1417m and 495m at the B1046 and Potton Road respectively.</li> <li>(b) The minimum horizontal radius is 720m and 360m at the B1046 and Potton Road respectively.</li> <li>(c) The super-elevation is 5% and 7% at the B1046 and Potton Road respectively.</li> <li>(d) The required Stopping Sight Distance (SSD) of 215m is achieved at both locations.</li> </ul> <p>4.11.2 The total length of proposed road is approximately 2km, with a compliant design requiring only one change in carriageway width at each tie-in, so there will not be numerous changes in cross section, contrary to statements made in Applicant's TN dated December 2020 (see section 4.7.4 above).</p>

Reference Number	Written Representation/Applicant Comment
	<div data-bbox="539 363 1310 826">  </div> <p data-bbox="539 842 1279 874"><b>Figure 1: B1046/Potton Road realignment limit of works</b></p> <p data-bbox="539 895 2056 1023">4.11.3 From the western tie-in point on the B1046 travelling North-West across the existing A428 to the bridge over the East Coast Main Line (ECML) the existing road is straight for a distance of approximately 600m. There is then a very slight curve in the road at the ECML bridge, after which the B1046 again continues in a straight line for a distance of approximately 600m into St Neots and the junction with Cromwell Road.</p> <p data-bbox="539 1038 2056 1134">4.11.4 From the eastern tie-in point on the B1046 travelling East the existing road is straight for a distance of approximately 300m. There are then two bends within 300m after which the B1046 continues East in an essentially straight line for a distance of approximately 2km to Abbotsley.</p> <p data-bbox="539 1150 2056 1278">4.11.5 The TN states that collision data for B1046 and Potton Road was obtained from crashmap.co.uk website dating from 1st January 2014 to 31st December 2018. There were five collisions recorded in this period, of which none were fatal, 1 serious and 4 slight. These five collisions resulted in 6 casualties and involved 9 vehicles. Most collisions occurred at the junction between the two roads.</p> <p data-bbox="539 1294 2056 1390">4.11.6 Contrary to the Applicant's statement the existing geometry is not "tight" neither is "visibility poor". The primary safety concern is the existing B1046/Potton Road Simple Priority junction layout; the Applicant's current proposal for this is a simple priority junction.</p>

Reference Number	Written Representation/Applicant Comment
	 <p><b>Figure 2: Current Proposal - Offline design of B1046 and Potton Road Realignment</b></p> <p>4.11.7 Accordingly, the principle of the DfS is not accepted by CCC. The Applicant has not provided sufficient evidence to demonstrate that there are exceptional situations that necessitate the DfS; that permitted Relaxations have been considered; and that a compliant design is not realistically achievable.</p>
Applicant Comment	<p>4.11.1 The Applicant notes the comment from the Cambridgeshire authorities.</p> <p>4.11.2 The Applicant considers that providing an isolated section of wider paved width is out of character of the existing road. This will increase driver speeds and increase the temptation for drivers to attempt overtaking which may lead to accidents.</p> <p>4.11.3 The Applicant notes the comment from the Cambridgeshire authorities.</p> <p>4.11.4 The Applicant notes the Council's comment and adds that there have been a number of collisions in the vicinity of the bends – two serious and four slight from 2014 to 2020. The Applicant notes that providing a wider paved width will increase speeds on the approach to these bends and may exacerbate the road traffic incidents. The Applicant proposes a paved width conducive with the existing nature of the road.</p>

Reference Number	Written Representation/Applicant Comment
	<p>4.11.5 The Applicant notes the Cambridgeshire authorities comment and further clarifies that between 2019 and 2020 there was one additional slight incident on the Potton Road within the vicinity of the Scheme.</p> <p>4.11.6 The existing B1046 and Potton Road simple priority junction occurs at bend in the road which is tight and has poor visibility, this combined with the junction has resulted in 4 slight road traffic incident between 2014 and 2020. The Applicant proposes a simple priority junction on a section of road with good visibility, which has been assessed and shown to operate well in capacity. In addition, the Road Safety Audit did not raise any concerns regarding the form of the junction. For these reasons the Applicant does not consider there to be a safety concern.</p> <p>4.11.7 Please refer to response REP1-048ag for the Applicant's comments on this matter.</p>
REP1-048al	<p>4.12 Location Specific Assessments: Package 3 Toseland Road</p> <p>4.12.1 The Applicant's Technical Note (TN) dated 19th February 2020 Revision P02 Status S3 Document ID: HE551495-ACM-GEN-A428_Z_Z_ZZ-TN- CH-0004 Title: Toseland Road Realignment states in Table 1 the following alignment design parameters:</p> <ul style="list-style-type: none"> <li>(a) Total length of improvements is 970m</li> <li>(b) The minimum horizontal radius is 720m</li> <li>(c) The super-elevation is 5%</li> <li>(d) The required Stopping Sight Distance (SSD) of 215m is achieved</li> </ul> <p>4.12.2 The total length of proposed road is approximately 1km, with a compliant design requiring only one change in carriageway width at each tie-in, so there will not be numerous changes in cross section, contrary to statements made in Applicant's TN dated December 2020 (see section 4.7.4 above).</p> <p>4.12.3 From the northern tie-in point on Toseland Road the existing road continues in a straight line for approximately 1.4km to the junction with High Street.</p> <p>4.12.4 The TN states that collision data was obtained from crashmap.co.uk website dating from 1st January 2013 to 31st December 2017. Just one collision on Toseland Road was recorded as slight with 2 vehicles and 1 casualty involved. There were a total of 3 collisions recorded at the junction of Toseland Road and the existing A428.</p> <p>4.12.5 Contrary to the Applicant's statement the existing geometry is not "tight" neither is "visibility poor".</p>



Reference Number	Written Representation/Applicant Comment
	 <p><b>Figure 3 – Toseland Road realignment limit of works</b></p> <p>4.12.6 Regarding the cross section width the Applicant's Side Roads Departure (Ref. HE551495-ACM-HAC-ZN4_SR_Z_ZZ-DF-CH-4047) Ref. DFS- CCCSR-TR-01 Section 2D Other guidance relating to carriageway width, refers to TD27/05 Clause 5.4.2 which states <i>"If a structure is required under or over an existing single lane rural side road of carriageway width less than 6.0m, the carriageway width of that side road should be retained where all the following requirements are met: i.e. Traffic flows are not expected to exceed 200 vehicles per day."</i></p> <p>4.12.7 Toseland Road is not a single lane road, it has two lanes, one in each direction, with appropriate road markings. Secondly the 2040 Design Year average annual daily traffic (<b>AADT</b>) is 3839 which far exceeds only 200 vehicles per day. Accordingly, the Applicant's assertion that the existing width of side road should be retained does not comply with the quoted guidance.</p> <p>4.12.8 Although TD27/05 Clause 5.4.3 states <i>"...there is potential for driver confusion, inappropriate speeds and poor visual appeal being generated by very localised widening"</i>, Toseland Road is 2.4km long from its junction with the A428 to its next junction with High Street to the North. The proposed diversion of Toseland Road extends for almost 1km or 42% of its length, which is not considered to be "very localised" in the context of the Standard.</p> <p>4.12.9 Accordingly, the principle of the DfS is not accepted by CCC. The Applicant has not provided sufficient evidence to demonstrate that there are exceptional situations that necessitate the DfS; that permitted Relaxations have been considered; and that a compliant design is not realistically achievable.</p>



Reference Number	Written Representation/Applicant Comment
Applicant Comment	<p>4.12.1 The Applicant notes the comment from the Cambridgeshire authorities.</p> <p>4.12.2 The Applicant considers that providing an isolated section of wider paved width is out of character with the existing road. This will increase driver speeds and increase the temptation for drivers to attempt overtaking which may lead to accidents.</p> <p>4.12.3 The Applicant notes the comment from the Cambridgeshire authorities.</p> <p>4.12.4 The Applicant notes the comment from the Cambridgeshire authorities.</p> <p>4.12.5 The Applicant notes the comment from the Cambridgeshire authorities.</p> <p>4.12.6 The Applicant notes the quote by the Council from the Departure from Standard issued to them on the 19 July 2019.</p> <p>4.12.7 The Applicant notes the quote from the Departure from Standard submitted to the Council in 2019 and states that though Clause 5.4.2 of TD27/05 is not the definitive mandatory requirement, this guidance in DMRB shows flexibility and consideration of the existing character and nature of the road.</p> <p>4.12.8 The Applicant notes the comment from the Cambridgeshire authorities regarding the following clause in TD27/05: <i>'For local roads with a carriageway wider than 6.0m, there is potential for driver confusion, inappropriate speeds and poor visual appeal being generated by very localized widening'.</i> However this point aligns with the concerns raised by the Road Safety Audit Team and is considered to further justify the Applicant's proposed Departure from Standards for the reduced carriageway width.</p> <p>4.12.9 Please refer to response REP1-048ag for the Applicant's comment on this matter.</p>
REP1-048am	<p>4.13 Detailed Design Technical Approval</p> <p>4.13.1 CCC requires provision within the wording of the DCO and/or legal agreement to approve the detailed design of all roads for which it will be LHA, with certification of the standard of local roads by the LHA being required prior to adoption.</p> <p>4.13.2 As part of this the Applicant must submit their detailed design documents for new local roads [and de-trunked roads] for Technical Approval at least 3 months prior to the commencement of construction work for each Work Package. Construction of any Local Road Package shall not commence until the Council is satisfied with the</p>

Reference Number	Written Representation/Applicant Comment
	<p>proposals and has given permission to do so. This applies to both temporary and permanent works. The Applicant should be treated in a manner consistent with other third parties seeking to undertake works on the local highway under a Section 278 Agreement of the Highways Act.</p> <p>4.13.3 The Applicant shall apply the agreed 'A14 and CCC Lessons Learnt Change Plans'. Lessons to be learnt by the Applicant from the A14 Scheme include submitting detailed design packages before the commencement of construction rather than after. This should be provided for in the legal agreement.</p> <p>4.13.4 The preliminary design package includes a Road Safety Audit (RSA). CCC as LHA considers the current RSA to be primarily concerned with the new trunk road. Specific RSAs should be provided for each local road. This should be provided for in the legal agreement.</p>
Applicant Comment	<p>The discussions between the parties of the handover process are ongoing and the detail of that process will be agreed between the parties and secured within a legal agreement. The Applicant has prepared a draft legal agreement that was shared with CCC on 11 June 2021 and the Applicant is currently reviewing the amendments sought by CCC to the draft legal agreement which it received on 17 September 2021.</p>
REP1-048an	<p>4.14 Detailed design scope</p> <p>4.14.1 The details to be submitted to the Council for the purposes of obtaining Technical Approval shall include:</p> <ul style="list-style-type: none"> <li>(a) detailed design drawings, construction details, specification appendices and schedules for the following: <ul style="list-style-type: none"> <li>(i) General arrangement plus longitudinal and cross sections</li> <li>(ii) Site Clearance</li> <li>(iii) Fencing</li> <li>(iv) Road Restraint Systems</li> <li>(v) Drainage and Service Ducts</li> <li>(vi) Earthworks</li> <li>(vii) Pavements</li> <li>(viii) Kerbs, Footways &amp; Paved Areas</li> </ul> </li> </ul>

Reference Number	Written Representation/Applicant Comment
	<ul style="list-style-type: none"> <li>(ix) Traffic Signs &amp; Road Markings</li> <li>(x) Traffic Signals</li> <li>(xi) Road Lighting</li> <li>(xii) Electrical Work for Road Lighting &amp; Traffic Signs</li> <li>(xiii) Structures incl. AIPs</li> <li>(xiv) Special Structures</li> <li>(xv) Landscape and Ecology</li> <li>(xvi) Site Accesses</li> <li>(xvii) Balancing Ponds</li> <li>(xviii) Borrow Pits</li> <li>(b) vehicle tracking (swept path) analysis</li> <li>(c) draft approvals in principle for structures;</li> <li>(d) design and check certificates for structures;</li> <li>(e) road safety audit reports and any exception reports; and</li> <li>(f) the precise extent and boundaries of the relevant Local Roads.</li> </ul> <p>4.14.2 The Applicant shall facilitate appropriately qualified officers of CCC as necessary to participate in the local road detailed design process as recommended in the A14 and CCC Lessons Learnt Change Plans.</p> <p>4.14.3 Once construction work commences joint inspections and testing of materials will be required, to be carried out as stipulated in the Legal Agreement.</p>
Applicant Comment	<p>The discussions between the parties of the handover process, including what details need to be provided, are ongoing and the detail of that process will be agreed between the parties and secured within a legal agreement. The Applicant has prepared a draft legal agreement that was shared with CCC on 11 June 2021 and the Applicant is currently reviewing the amendments sought by CCC to the draft legal agreement which it received on 17 September 2021.</p>

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REP1-048ao	<p>4.15 Conclusion</p> <p>4.15.1 The existing local road speed limits are appropriate for the existing road conditions, as evidenced by the collision data. Contrary to the Applicant's statements the existing rural local road geometry is not <i>"tight"</i> nor is <i>"visibility poor"</i>. The Council has been consistent in its position on design standards throughout , but this has not been reflected in the Application. At the Meeting on 1st October 2020 the Applicant stated that design decisions were taken during 2018 and that the reduced cross section would reduce construction costs.</p> <p>4.15.2 The Applicant has not provided sufficient evidence to demonstrate that there are exceptional situations that necessitate Departures; that permitted Relaxations have been considered; and that a compliant design is not realistically achievable. In addition, the Applicant did not obtain approval from CCC as LHA for their proposals before incorporating them into the Application design layouts.</p> <p>4.15.3 A fully compliant design is preferable in terms of both operational safety and maintenance liability. This outweighs seeking to reduce construction costs.</p> <p>4.15.4 The principles to be applied in the design and construction of the Scheme's local roads within Cambridgeshire are as follows:</p> <p>4.15.5 Consistent application of Highways England's Standards for Highways DMRB, MCHW and IAN standards and specifications`</p> <p>4.15.6 Full compliance with standards wherever possible, with appropriate justification for any divergence. Departures from Standard for carriageway width / cross section are not justified as exceptional situations; a compliant design is realistically achievable</p> <p>4.15.7 The methods of highway drainage should be considered at the preliminary design stage as they are linked to other factors, for example the extent of hard strips and the application of a balanced carriageway or superelevation; currently this is not considered in the application</p> <p>4.15.8 The Applicant's local road design needs to be amended to comply with these principles.</p>

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Applicant Comment	<p>The Applicant notes the summary and refers the Cambridgeshire authorities to the responses to the matters raised previously in Section 4 Highway Design [REP1-048ae to REP1-048an]</p> <p>Specifically in relation to 4.15.3, it is the Applicant's view that operational safety will be impaired by using a fully compliant design. A fully compliant design is not in keeping with the side road network and will give road users the impression that they are on a high quality section of road and will travel at a speed that matches that impression. At the end of the section of new road the cross section will revert to that of a rural road but traffic speeds will be higher. Maintenance liability is no worse than that of the surrounding side roads which CCC will presumably have experience of maintaining. Frequency of maintenance will be the same or less frequent and the method of maintenance will be the same. The Applicant refutes the suggestion that cost was a driver behind the decision to use a reduced cross section. Operational safety is the driver. It is acknowledged that construction costs will be reduced, but this is a side benefit, for the benefit of the public purse.</p>
REP1-048ap	<p>5. <b>HIGHWAY NETWORK IMPACT DURING CONSTRUCTION</b></p> <p>5.1 [Further information is required on the construction programme and timings for closures, for example whether the Applicant intends to implement night-time closures only or full weekend closures. If full weekends closures will be required, the Councils request advanced discussion on the planning of the dates to minimise conflicts with other works and events. CCC requests a commitment from the Applicant that weekday, day time closures will not be implemented.]</p>
Applicant Comment	<p>The Applicant confirms that night-time weekday closures and full weekend closures will be required. Where full weekend closures are required, the Applicant will discuss the dates for these closures in advance with the Councils to minimise conflicts with other works and events.</p> <p>These closures will be implemented during off-peak periods when there is less traffic.</p> <ol style="list-style-type: none"> <li>1. Weekday nights Monday to Friday (indicatively 2100 to 0600).</li> <li>2. Weekends from Friday night (indicatively 2100) to Monday morning (indicatively 0600). The Applicant confirms that weekday daytime closures will not be required.</li> </ol> <p>The detailed design for the Scheme has not been undertaken and this is required to enable a construction programme to be developed to a sufficient level of detail to define the road closure requirements on the complex junctions.</p>

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	<p>However, it is anticipated that for the side road works, similar to Toseland Road or Barford Road, where a new bridge is to be constructed off-line together with a new section of side road, in the order of eight weekday night time road closures and two weekend road closures, will be required during the construction and tie in of these new sections of side road.</p> <p>This does not include any allowance for utility works or other road crossings which may be required with the development of the detailed design.</p>
REP1-048aq	<p>5.2 Section 3.3 and Appendix C of the Outline Construction Traffic Management Plan (OCTMP) (<b>APP-244</b>) sets out the permitted construction network routes and categorises them as green (construction traffic permitted), amber (construction traffic permitted subject to restrictions) or red (no construction traffic permitted). Insufficient detail is provided as to the nature and extent of the restrictions applying to the amber routes, with the routes around St Neots being of particular concern to the Councils.</p>
Applicant Comment	<p>Following submission of the OCTMP the Applicant has conducted a series of presentations to both Officers and Members of the Local Authorities. Feed-back received from these presentation together with further development of the construction planning has identified a number of changes to the OCTMP that will be made to address local concerns while maintaining sufficient access to facilitate the works. It is anticipated that the OCTMP will be updated and submitted at Deadline 4.</p> <p>One of these changes is the removal of the amber route shown through St Neots via the B1428 and Eaton Socon. This route was shown as an alternative access for construction vehicles working on the Roxton Road Link, The Lane, Nags Head Lane and Chawston Lane.</p> <p>These works will now be accessed from the south via Roxton Road Bridge, or directly from the A1. The amber route at Wyboston that links the Lane and Roxton Road will remain in the OCTMP.</p>
REP1-048ar	<p>5.3 The Councils have concerns regarding amenity, noise, safety and pollution on the construction routes going through St Neots past the Ernulf Academy secondary school: Barford Road, Cromwell Road, the B1046 and Cambridge Road. The Councils request further information on the need for these routes and whether any alternatives have been considered. If these construction traffic routes are required, the Councils request that the OCTMP is updated so that use of these routes is restricted to:</p> <p>5.3.1 certain classes of construction traffic only i.e. Light Goods Vehicles up to 3500kg; and</p> <p>5.3.2 times outside peak hours and avoiding school opening and closing times.</p>

Reference Number	Written Representation/Applicant Comment
Applicant Comment	<p>The eastern section of the Scheme is offline from the current road network. This presents construction challenges as it is not possible to access large areas of the site directly from the trunk road network. To avoid construction traffic using unsuitable routes through villages some routes are shown in the OCTMP to be prohibited from use by construction traffic and others are identified as restricted as they will only provide access for specified activities.</p> <p>Potton Road has been included as a construction traffic permitted route with access through St Neots. This route provides construction access to the offline works to the south east of St Neots. There are no other local roads that could be used to provide access to this part of the site and so this route is vital to the establishment and operation of the main construction works and will be used by all classes of vehicle.</p> <p>No access is shown on Potton Road from the south through Abbotsley to avoid construction vehicle impacts on this village. Access to Potton Road in St Neots was shown from the north via Cambridge Road and Cromwell Road and from the south via Barford Road and a section of the B1046.</p> <p>Following feedback received from presentations of the OCTMP to both Officers and Members of the Local Authorities together with further development of the construction planning the construction routes through St Neots will be amended.</p> <p>To address the concerns over the permitted construction route through St Neots that passes a secondary school (Ernulf Academy) and uses a section of Barford Road and the B1046 will change category in the OCTMP from green (construction traffic permitted) to amber (restricted). An updated version of the OCTMP will be submitted during the Examination.</p> <p>The restrictions for this route will be for Light Goods Vehicles up to 3500Kg and outside of peak school hours (nominally 7.30 to 9.00 and 3.00 to 4.30).</p> <p>The route via Cambridge Road and Cromwell Road will remain as a 'green route' with construction traffic permitted and will be used by vehicles using the Potton Road site access.</p> <p>Note Cromwell Road has a wide carriageway and has a series of industrial parks with industrial units, plant hire and light industry as well as a waste recycling centre and as such this sort of traffic is usual.</p>
REP1-048as	<p>5.4 Effective methods of measuring and managing temporary traffic diversions must be secured in the DCO or by agreement with the Councils. Traffic counts, including by vehicle type, and condition surveys must be carried out pre-commencement of works to establish a baseline on routes with the potential for impacts from reassigning traffic. The relevant routes are through the following villages Yelling, Toseland, Graveley, Abbotsley, Great Gransden, Elsworth and Waresley, Gamlingay and Eltisley. Other routes may become apparent during the works. The Councils request that these routes are monitored for impact and condition during works and that the Applicant</p>



Reference Number	Written Representation/Applicant Comment
	<p>agrees to fund appropriate mitigation measures, e.g. traffic calming measures as well as VAS to be installed pre-commencement, if traffic levels are predicted to be significantly impacted by the works. The Councils would welcome discussion of this with the Applicant.</p>
Applicant Comment	<p>The Applicant is committed to effectively managing temporary traffic diversions and will implement a range of measures that are set out in the OCTMP to facilitate these routes.</p> <p>These include:</p> <ol style="list-style-type: none"> <li>1. Using the National Highways' Variable message signs across the strategic network to facilitate the early diversion of long distance strategic traffic to alternative routes such as A14, M11 and M1.</li> <li>2. Working with strategic users of the network such as the Post Office and Amazon to minimise their traffic through the area when road closures are planned.</li> <li>3. Monitoring diversion routes when in operation to ensure the early deployment of incident management / response measures to mitigate congestion and delays to road users. Details to be confirmed in the development of the detailed traffic management plans.</li> <li>4. Liaison with road haulage organisations such as the Road Haulage Association and Freight Transport Association to communicate messages to independent logistics operators on road closures and appropriate strategic diversions.</li> </ol> <p>It should be noted that while the Applicant is committed to implementing measures on the designated diversion routes, including additional signage where appropriate at local road junction with these routes, it is not intended to implement widespread monitoring across the local road network or to complete other works outside the limits of the Scheme.</p> <p>The Applicant will continue to engage with the Councils on this issue.</p>
REP1-048at	<p>5.5 Where the condition of roads is being severely impacted by HGVs or HGVs are using unsuitable routes as they are reassigned from the official diversion routes we request that temporary traffic regulation order (<b>TTRO</b>) weight limits are considered and discussed with the Councils and the police and if agreed are funded by the Applicant. Unsuitable routes may include but not limited to routes that are of a lower classification than the one being diverted, routes through villages or affecting other local sensitivities.</p>

Reference Number	Written Representation/Applicant Comment
Applicant Comment	<p>The Applicant does not accept that in most cases imposing temporary traffic regulation orders (TTRO) weight limits on routes remote from official diversion routes is an effective way of controlling HGV traffic. Experience from previous schemes is that the police are unable to commit any resources to the enforcement of these orders due to other priorities and that they thus set unrealistic expectations for the public.</p> <p>The Applicant will however commit to both supporting and funding any TTRO weight limits on routes where these are recommended by the Police.</p>
REP1-048au	5.6 The Councils would expect the recovery of expenses incurred by the Councils in relation to maintaining any roads due to extraordinary traffic to be provided for in an agreement with the Applicant.
Applicant Comment	<p>The Applicant is committed to keeping existing users of the SRN on the network and will monitor traffic levels on the SRN to measure effectiveness of its approach. Effective traffic management, and high levels of information available to customers in advance and at the roadside will encourage drivers to remain on the SRN. It is therefore not accepted that the Applicant should fund maintenance costs for local roads.</p>
REP1-048av	5.7 CCC operates a permit scheme for roadworks and streetworks. It is requested that the Nominated Undertaker is required to submit permit applications to CCC to enable CCC to effectively co-ordinate its network in addition to the consent process.
Applicant Comment	<p>The Applicant will ensure early engagement with LHA on road space bookings on their network to enable CCC to effectively co-ordinate its network. Where works are required on the network outside the order limits the Applicant will submit permit applications to CCC.</p> <p>A permit application will also be made for works within the Order limits of the Scheme. This permit application will be made for all LHA roads within this area for the full duration of the works using a similar approach to that agreed and implemented with CCC previously on the A14 Project.</p>
REP1-048aw	5.8 Should CCC need to administer any TTROs on CCC's network to facilitate the Nominated Undertaker's work then CCC would request that the Applicant meets these costs.

Reference Number	Written Representation/Applicant Comment
Applicant Comment	Should the Applicant need to apply for TTRO on CCC network then the Applicant would cover the cost of application in line with CCC process.
REP1-048ax	5.9 For the diversion route for the closure of the A428 Girton – Caxton Gibbet the Councils anticipate some possible confusion and disruption for example at Brampton Hut. This needs to be effectively signed for example using variable messaging signs to minimise confusion. This should include variable message signage. The Applicant should also ensure there are effective communications with the public, local Parish councils and haulage companies on diversions routes and the LHA and LPAs. [These elements should be reflected in the OCTMP.]
Applicant Comment	<p>The Applicant confirms that diversion routes will be effectively signed around the full length of their route. This will include such measures as variable messaging sign together with Scheme specific signs.</p> <p>The Applicant will maintain effective communication on the details of diversion routes with the public, local parish councils, haulage companies, Local Highway Authorities and Local Planning Authorities. Section 3.5 of the OCTMP will be revised to specifically cover these items. It is anticipated that the OCTMP will be updated and submitted at Deadline 4.</p>
REP1-048ay	5.10 CCC considers that Section 59 of the Highways Act 1980 is applicable to the extraordinary levels and type of construction and diverted traffic that will be using the local highway network. CCC would therefore seek formal agreement of the applicability of said Section 59 via an appropriate legal agreement with Highways England.
Applicant Comment	As stated in response to REP1-048au, the Applicant is undertaking measures to encourage existing road users to remain on the SRN. The Applicant will not be diverting extraordinary levels of traffic onto the local road network. A section 59 agreement is not considered applicable to this Scheme.
REP1-048az	<p>6. <b>NON-MOTORISED USERS (NMU) AND PUBLIC RIGHTS OF WAY</b></p> <p>6.1 The Scheme currently contains insufficient support for Non-Motorised Users (NMUs) and connectivity with local communities is considered to be poor. The Government Guidelines, the Cambridgeshire and Peterborough Combined Authority (CPCA) Local Transport Plan (LTP), the Huntingdonshire Local Development Plan, the South Cambridgeshire Local Plan and the Cambridgeshire Rights of Way Plan (ROWIP) policies have not been complied with. These require new infrastructure developments to contribute to an enhanced transport network that supports an increasing proportion of journeys being undertaken by sustainable travel modes and connectivity with local</p>

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	<p>communities. Any proposals affecting a PROW or other formal NMU route should protect and enhance these modes. Further detail follows in the remainder of this section.</p> <p>6.2 Policy background – Non-Motorised Users</p> <p>6.2.1 The Department for Transport's recent policy and guidance documents make clear that provision for walking and cycling is a priority and sets out that much higher standards are now expected:</p> <p>(a) Local Transport Note 1/20 Cycle Infrastructure Design (LTN 1/20) states that:</p> <p><i>"The guidance should be applied to all changes associated with highway improvements, new highway construction and new or improved cycle facilities, including those on other rights of way such as bridleways and routes within public open space."</i></p> <p>(b) Department of Transport "Gear Change 2020" includes the following statements:</p> <p><i>"We will ensure that new local and strategic A road schemes include appropriate provision for cycling..."</i></p> <p><i>"To receive Government funding for local highways investment where the main element is not cycling or walking improvements, there will be a presumption that all new schemes will deliver or improve cycling infrastructure to the new standards laid down, unless it can be shown that there is little or no need for cycling in the particular road scheme."</i></p> <p>(c) The Connecting Our Customers 2020-21 Highways Englands publication also states that they will:</p> <p><i>"work with our partners and stakeholders to improve how our roads connect with other transport modes and networks by providing more sustainable options for our customers"</i> and</p> <p><i>"make improvements for walkers, cyclists and horse riders based on what they tell us they want to see. For example, building better cycle routes and safer crossing points."</i></p> <p>6.2.2 CCC's Local Transport Plan 3 ('LTP3') 6 was adopted in 2017 and contributes towards the delivery of the Councils' main outcomes set out in its Business Plan. The strategic objectives of the subsequent CPCA LTP adopted in 2020 include the objective to: Promote social inclusion through the provision of a sustainable transport network that is affordable and accessible for all, and the following policies:</p> <p>(a) Develop the network of public rights of way which is safe and encourages healthy activities</p>

Reference Number	Written Representation/Applicant Comment
	<p>(b) Support travel plan development and implementation of travel plan measures within workplaces so that healthy, safe, low carbon travel options for commuters are actively encouraged and supported</p> <p>(c) Promote existing and new walking and cycling routes to commuters and residents</p> <p>(d) Develop a public rights of way network which is safe and encourages healthy activities</p> <p>Enhance and expand cycling infrastructure across Cambridgeshire and Peterborough, including connecting links to surrounding towns, villages and rural areas</p> <p>6.2.3 CCC's ROWIP Rights of Way Improvement Plan 2016/7, adopted in 2006 and revised 2016, is a daughter document of CCC's Local Transport Plan 3 (LTP3) adopted in 2017, and contributes towards the delivery of the same outcomes as the CPCA LTP.</p> <p>6.2.4 It also includes the following policies:</p> <p>(a) the development of the network of public rights of way which is safe and encourages healthy activities;</p> <p>(b) support for travel plan development and implementation of travel plan measures within workplaces so that healthy, safe, low carbon travel options for commuters are actively encouraged and supported;</p> <p>(c) promotion of existing and new walking and cycling routes to commuters and residents;</p> <p>(d) the development of a public rights of way network which is safe and encourages healthy activities;</p> <p>(e) the enhancement and expansion of cycling infrastructure across Cambridgeshire and Peterborough, including connecting links to surrounding towns, villages and rural areas;</p> <p>(f) the embedding of cyclists' needs in the design stage of new transport infrastructure;</p> <p>(g) the improvement of sustainable access to the natural environment; and</p> <p>(h) the improvement of access to the green spaces for all.</p> <p>6.2.5 The ROWIP sets out in detail how CCC will manage and improve the public rights of way network. Production of a ROWIP is a statutory requirement for all highway authorities under the Countryside &amp; Rights of Way Act 2000 (<b>CROW Act</b>). Cambridgeshire's ROWIP was first adopted in 2006, and a revised version was published in 2016. The key principles and statements of action relevant to the A428 Scheme are:</p> <p>(a) Statement of Action 1, Guiding Principle 1 (SOA1, GP1):</p>

Reference Number	Written Representation/Applicant Comment
	<p><i>"Countryside access provision should be physically accessible to the widest possible range of people. New countryside access provision should generally be planned to avoid imposing restrictions."</i></p> <p>(b) Statement of Action 2, Guiding Principle 2 (SOA2, GP2): <i>"Countryside Access provision should be safe for users and encourage healthy activities. Where significant potential conflict with motor traffic or railways can be demonstrated, then measures to reduce risk will be considered."</i></p> <p>(c) Statement of Action 5, Guiding Principle 5 (SOA5, GP5): <i>"Countryside access provision should build on the platform of the historical network to meet the needs of today's users and land managers. A central action for the updated ROWIP is to improve the network as a whole, making connections with the cycle network and wider transport network."</i></p> <p>6.2.6 The LTP and ROWIP work in harmony with the Cambridgeshire Health &amp; Wellbeing Strategy 2016-178, which promotes priorities to support and improve the physical and mental health of the county's communities. The Health and Wellbeing Board comprises services across the National Health Service (NHS), district councils, CCC, children's and social care, and elected representatives. Maintaining and developing the rights of way network supports most of the priorities of the Strategy. The key priorities relevant to the highway network are:</p> <p>(a) Priority 2: <i>"Support older people to be independent, safe and well, which encourages older people to stay active"</i> and links to ROWIP SOA1 SOA2, and SOA5.</p> <p>(b) Priority 3: <i>"Encourage healthy lifestyles and behaviours in all action sand activities while respecting people's personal choices, which promotes physical activity"</i> and also links to ROWIP SOA2, SOA3, SOA4, SOA5 and SOA8.</p> <p>(c) Priority 4: <i>"Create a safe environment and help build strong communities, wellbeing and mental health, which recognises the strong link between physical and mental health."</i> Rights of way and access to green space is an important, free source for people. This Priority also relates to ROWIP SOA1, SOA2, SOA3, SOA4, SOA5 and SOA8.</p> <p>(d) Priority 5: <i>"Create a sustainable environment in which communities can flourish, which acknowledges the importance that good transport planning, green spaces and the built environment play a vital role in determining health and wellbeing, together with the benefits that these bring to the local economy."</i> This priority has the following three aims:</p>

Reference Number	Written Representation/Applicant Comment
	<ul style="list-style-type: none"> <li>(i) Develop and maintain effective, accessible and affordable transport links and networks, within and between communities, which ensures access to services and amenities and reduce road traffic accidents.</li> <li>(ii) Ensure that housing, land use planning and development strategies for new and existing communities consider the health and wellbeing impacts for residents in the short and long term.</li> <li>(iii) Encourage the use of green, open spaces including public rights of way, and activities such as walking and cycling through the provision of safe, continuous networks.</li> </ul> <p>Priority 5 links to SOA1, SOA2, SOA3, SOA5, SOA6 and SOA8 of the ROWIP</p> <p>6.2.7 The LTP (2020) prioritises active modes of travel over other forms as the benefits align with the overarching goals and objectives. It acknowledges that within Huntingdonshire high traffic flows particularly through rural villages and High Streets make it less attractive to walk or cycle for local journeys. The lack of dedicated, high quality walking and cycling infrastructure deters the use of active modes of travel and contributes to poor health outcomes. The LTP promotes new high-quality active travel infrastructure specifically for St Neots as helping to make active travel a safer and more attractive option, allowing residents without access to a car more independence and opportunity to travel.</p> <p>6.2.8 An assessment of the Scheme against the above policy considerations is set out in sections 6.5 and 6.6.</p> <p>6.2.9 Policy LP 16 of Huntingdonshire's Local Plan to 2036 (HLP2036) sets out the expected approach for new development in the District in relation to Sustainable Travel. It is considered that there are a number of instances within Huntingdonshire where the Scheme may not meet policy LP16. Whilst it is acknowledged the policy is geared towards planned development it does state 'all new development' and therefore is pertinent in assessing the Scheme.</p> <p>6.2.10 Policy TI/2 of the South Cambridgeshire Local Plan to 2031 requires that developments provide safe, direct cycle and walking routes that connect to existing networks. Some of the walking and cycling gaps evident within the current scheme design are in South Cambridgeshire particularly between Eltisley and Caxton. This is considered to be contrary to the requirements of Policy TI/2.</p> <p>6.2.11 In considering whether the Scheme meets Policy LP16 of HLP2036, the Councils have looked at each policy criterion in turn.</p> <p><i>a) opportunities are maximised for the use of sustainable travel modes</i></p>



Reference Number	Written Representation/Applicant Comment
	<p>6.2.12 It is noted that the proposals seek to maintain the existing public rights of way network where possible. It is concerning, however, that the proposals fail to maximise the opportunities for use of sustainable modes. For example, routes that had previously been indicated as shared use paths in earlier iterations of the design are now downgraded to paths or removed. This is detailed in comments later in this section (see 6.5.7 e, f, g &amp; k) in relation to the specific points on each affected route. In addition, the Councils are concerned that due to the design of routes not meeting the appropriate standards that this could deter some users and as such does not maximise the opportunities.</p> <p><i>b) its likely transport impacts have been assessed, and appropriate mitigation measures will be delivered, in accordance with National Planning Practice Guidance</i></p> <p>6.2.13 CCC, as Local Highway Authority, has assessed the submitted Transport Strategy and related documents. There are aspects of the transport impacts that present concerns for NMU and public rights of way. For example, at the new roundabout junctions at Cambridge Road St Neots, suitable crossings have not been designed into the scheme. Traffic levels and speeds are expected to rise in parts of the surrounding network, impacting on the ability of non-motorised users to cross or use busy sections safely, e.g. Toseland Road. It is considered that, as a consequence, elements of the proposals do not accord with National Planning Practice Guidance or LP Policy LP16.</p> <p><i>c) safe physical access from the public highway can be achieved, including the rights of way network where appropriate</i></p> <p>6.2.14 There are aspects of the scheme design that are cause for concern in relation to safe access of the public highway network, as detailed at paragraph 6.5. The revisions set out will overcome these concerns and ensure that this aspect of HLP2036 Policy LP16 is complied with.</p> <p><i>d) any potential impacts on the strategic road network have been addressed in line with Department for Transport Circular 02/2013 and advice from early engagement with Highways England</i></p> <p>6.2.15 This is addressed elsewhere in this response and, as it stands, there is currently concern that the impacts have not been appropriately addressed.</p> <p><i>e) there are no severe residual cumulative impacts.</i></p>

Reference Number	Written Representation/Applicant Comment
	<p>6.2.16 The councils are concerned that the level of severity of residual cumulative impacts may be incorrectly assessed in the Environmental Statement (<b>APP-084</b>) and would urge the applicant to revisit this in light of other comments set out in this representation.</p> <p>6.2.17 CCC position is supported by the Cambridgeshire Local Access Forum (CLAF), a statutory group operating under the Countryside and Rights of Way Act 2000, formed to advise on the management of the county's public rights of way. CLAF stated as part of their A428 consultation feedback to Highways England "We are concerned at the lack of Non-Motorised Users (NMU) access included in the project and the missed opportunities for improving and enhancing the rights of way network".</p>
Applicant Comment	<p>6.1 The Applicant notes the comments set out above, however disagrees that the Scheme provides insufficient provision for walkers, cyclists and horse riders. Section 8.3 of the Transport Assessment Part 1 [APP-241] sets out the provision is made within the Scheme to maintain connectivity of the existing function of Public Rights of Way where possible, and at paragraph 8.3.3 sets out the new and improved routes that are delivered through the Scheme. This includes the shared footway/cycleways that are proposed along Roxton Road Link, Roxton Road, Bedford Road and Kelpie Marina access for the replacement of infrastructure on the A1. Furthermore, shared footway/cycleways are proposed at Cambridge Road and Caxton Gibbet junctions. These routes have been upgraded from a footway to shared use facilities at Cambridge Road and are enhancements of the existing shared use route at Caxton Gibbet. Crossings of slip roads at Cambridge Road and Caxton Gibbet junctions will be by way of signalised crossings. These will be designed as part of the detailed design process.</p> <p>6.2.1-6.2.17 Policy Background</p> <p>The Applicant is not required to adopt the principles of Local Transport Notes. These are advisory documents produced by the DfT and recommended to local highway authorities for use on their roads. Compliance with LTN 1/20 is not compulsory for the local highway authority and therefore the requirements of the Design Manual for Roads and Bridges is the appropriate standard to be complied with, including the assessment and review process in GG142. The existing A428 and the local roads are not new roads, a status not changed by the de-trunking process. The Scheme is not being funded through a grant to Local Authorities.</p> <p>The Applicant has made comments on the Cambridgeshire authorities policy assessment in response to the host authorities Local Impact Report [TR010044/EXAM/9.22], submitted to the Examination at Deadline 3, including Huntingdonshire Local Plan Policy LP16. In summary, the Applicant considers that it has made adequate provision to maintain connectivity as well as providing some new and improved routes for Non-Motorised Users, where they are relevant to the Scheme and proportionate. There is no requirement in the NPS NN to "maximise" opportunities</p>

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	<p>for sustainable travel modes. Where a local plan policy conflicts with the relevant NPS, the NPS takes precedence, due to the national significance of the proposed infrastructure.</p> <p>Specifically in relation to Item 6.2.13, as noted above, crossings of slip roads at Cambridge Road and also at Caxton Gibbet junctions will be by way of signalised crossings. These will be designed as part of the detailed design process</p> <p>Furthermore, the Applicant disagrees with the host authorities in their view that impacts upon the strategic road network have not been properly addressed. The Applicant also disagrees with the host authorities in their view that the residual cumulative impacts may have been incorrectly assessed.</p>
REP1-048ba	<p>6.3 <b>Cambridgeshire Transport and Health Joint Strategic Needs Assessment: The Public Health Benefits of increasing Active Transport</b></p> <p>6.3.1 Physical inactivity is the fourth leading risk factor for death worldwide. It is known that a lack of physical activity is harmful, contributing to an increased risk of diabetes, cardiovascular disease and cancer. Fitting physical activity into the working day can be difficult. Active travel to and from work is a good way for many people to get active and work towards the 30 minutes a day target.</p> <p>6.3.2 The National Institute for Clinical Excellence (NICE) provides Public Health guidance aimed at preventing disease and improving the health of the population. Walking and Cycling Briefing (LGB8, NICE, 2013) This briefing, endorsed by the Department for Transport (DT), summarises NICE's recommendations for local authorities and partner organisations on walking and cycling. Among the key actions are:</p> <ul style="list-style-type: none"> <li>(a) Ensuring there is a network of paths for walking and cycling between places locally;</li> <li>(b) Reducing road danger and perception of danger; and</li> <li>(c) Ensuring other policies support walking and cycling.</li> </ul> <p>6.3.3 The main barriers to walking and cycling identified in the Transport Strategy for Cambridge City and South Cambridgeshire included the following:</p> <ul style="list-style-type: none"> <li>(a) Safety and perception of safety (of cyclists, pedestrians and drivers);</li> <li>(b) Lack of awareness;</li> <li>(c) Lack of dedicated routes/links between major cities;</li> </ul>

Reference Number	Written Representation/Applicant Comment
	<ul style="list-style-type: none"> <li>(d) Pedestrian/cyclist/driver conflict;</li> <li>(e) Distance/access to local facilities/services;</li> <li>(f) Lack of routes/access to frequently used services and facilities; and</li> <li>(g) Quality of walking/cycling environment.</li> </ul>
Applicant Comment	<p>The Applicant notes the points made and would reiterate that provision is made within the Scheme to maintain connectivity of the existing function of Public Rights of Way where possible, and to deliver new and improved routes. This includes shared footway/cycleways are proposed along Roxton Road Link, Roxton Road, Bedford Road and Kelpie Marina access for the replacement of infrastructure on the A1. Furthermore, shared footway/cycleways are proposed at Cambridge Road and Caxton Gibbet junctions. These routes have been upgraded from a footway to shared use facilities.</p>
REP1-048bb	<p>6.4 Representations on general provisions made within the DCO</p> <p>6.4.1 CCC reiterates the amendments to the draft DCO requested at section 3, many of which are relevant to NMU provision.</p> <p>6.4.2 Article 14(7) Classification - Timing and implementation mechanism for new/amended PROW - CCC experience with the A14 is that works are completed at very different times. Therefore, unless it is intended for nothing to be opened until the whole scheme is certified as complete, the wording should be accordingly amended to: 'the date on which individual works to PROW are certified as complete to the reasonable satisfaction of the LHA and handed over'.</p> <p>6.4.3 Article 14(7) – Incorrect reference - It is the Local Highway Authority that is responsible for highways, not the Local Planning Authority. The wording needs to be corrected to 'street authority'.</p> <p>6.4.4 Article 18 – Permanent stopping up of PROW - Article 18 does not offer the LHA any opportunity to comment on or authorise the permanent stopping up of highway and of private means of access (PMA) onto the highway, yet the LHA plays a critical role as the local street authority and the traffic manager. The LHA needs to be satisfied that:</p> <ul style="list-style-type: none"> <li>(a) New routes or amended or diverted highways are completed to our satisfaction before taking over the responsibility for the asset</li> <li>(b) Routes for which it is responsible and for which there is no alternative provision can proceed to be extinguished.</li> </ul>

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	<p>There is no provision in the draft DCO for any certification process that would provide the necessary check mechanism. Article 18(2)(a) requires the new street to be completed to the satisfaction of the street authority. This is insufficient. The LHA needs to know when PROW are to be extinguished because 1) there might effectively be an alternative provided (e.g. 4 PROW are to be 'merged' into two new routes over the A428), of which the LHA needs to be satisfied, and b) in order for CCC in its role as the Order-Making Authority to undertake its statutory duty with regard to effecting changes on the DM&amp;S through appropriate Legal Event Modification Orders under s53WCA81. If the OMA don't know the changes are coming the LHA cannot put in place the appropriate follow-up legal work. As Highways England will be paying for those LEMOs, they presumably would also want to know when those costs are likely to come back to them.</p> <p>6.4.5 Article 29 Extinguishment of Public Rights of Way - Article 29 of the draft DCO (APP-025) affords the LHA no involvement in the process to stop up public rights of way, which CCC requests is reconsidered.</p> <p>6.4.6 Article 29(2) Extinguishment of Public Rights of Way - There needs to be an established audit process that enables service of the proposed notice to the LHA so that extinguishments do not come as a surprise and any related issues such as signage on the ground can be addressed to manage any user expectations. The LHA request that the following provision is added: "and, where applicable, have provided the relevant alternative section of public right of way identified in column (4) of Part 1 of Schedule 4 and shown on the rights of way and access plans."</p> <p>6.4.7 Article 18(3), Schedule 4, Part 1 – Highways to be stopped up for which no substitute is provided – Where highways are to be stopped up and no substitute provided, the LHA requests that it is notified that the PROW is extinguished at the time of extinguishment and that site notices must be erected where the PROW is extinguished to allow the LHA to make any required changes to the Definitive Map and Statement.</p> <p>6.4.8 PROW Widths - A process for determining width of PROWs must be agreed prior to development commencing; width is one of the categories of legal information that will be required in the certification and handover package to enable CCC to comply with its statutory duty under Wildlife and Countryside Act 1981 s53 to record the changes to the PROW network on the Definitive Map &amp; Statement. The handover of new PROW from the undertaker to CCC will not be accepted without this information. As a minimum, CCC would expect the following widths to be adhered to and would expect the Applicant to commit to these in the draft DCO with the relevant widths for each highway being set out in Part 7 of Schedule 3 (APP-025) and in the detailed design prior to the commencement of construction:</p> <table data-bbox="539 1348 1740 1404"> <tr> <td data-bbox="539 1348 1207 1404">Type of facility</td><td data-bbox="1214 1348 1740 1404">Minimum Width</td></tr> </table>	Type of facility	Minimum Width
Type of facility	Minimum Width		

Reference Number	Written Representation/Applicant Comment	
	Footway	2 metres
	Footway/Cycle track	3 metres
	NMU: Pedestrian/Cyclists/Equestrian	3 metres
	Public Footpath	2 metres
	Public Bridleway	4.5 metres
	<p>6.4.9 PROW Specifications - The specifications for PROW surfacing/construction, infrastructure and signage to CCC's standards must be agreed with CCC early in detailed design, before any construction commences. With the A14 project, this was not considered until after works had started, leading to unnecessary additional resource costs and duplication of work on the ground to correct inappropriate works. The LHA require documented agreement that standards will be agreed early in detailed design.</p> <p>6.4.10 Asset Ownership - The ownership and maintenance liabilities of assets (including gates and bollards) placed on Public Rights of Way and Non-Motorised Routes, must be clarified at the outset to avoid issues later. With the A14 scheme there are several assets that have been installed where CCC has not been informed as to who is the owner responsible for maintenance. Delayed handover of new highways to the LHA and additional costs are likely to result whenever there is an issue with these assets. A full asset register and ownership must be provided to CCC before handover.</p>	
Applicant Comment	<p>6.4.1 The comment from CCC is noted and the Applicant would refer back to its comments made in section 3 of this document.</p> <p>6.4.2 The Applicant welcomes this point from the Cambridgeshire authorities and will consider updating the dDCO <b>[REP1-003]</b> to allow for the PROW to be handed over as each route is complete. The detail of any handover process for PROW is the subject of ongoing discussions between the parties and it is the Applicant's view that any handover process will be secured within a legal agreement.</p> <p>6.4.3 This amendment is noted and will be reflected in the updated dDCO to be provided at Deadline 4.</p>	

Reference Number	Written Representation/Applicant Comment
	<p>6.4.4 - 6.4.6 The Applicant is of the view that should CCC have any comments on the proposed stopping up of PROW or substitutes proposed this should be set out now and included as a subject for discussion within the Statement of Common Ground to be provided at Deadline 4. The Applicant will be working closely with CCC as local highway authority throughout the process of handing over assets to be maintained by CCC and as such the extinguishment of a PROW should not come as a surprise to CCC. The Applicant will consider the proposed drafting of Article 29(2) of the dDCO further, although the Applicant does note that Article 18 of the dDCO <b>[REP1-003]</b> places controls on the Applicant in relation to the stopping up of streets (which would include PROW) where a substitute is to be provided and it is there not clear why additional control is required within Article 29 of the dDCO. Further, the Applicant notes that the drafting set out in Article 29 of the dDCO <b>[REP1-003]</b> is based on article 10 of the model provisions and also follows the M20 Junction 10a Order.</p> <p>6.4.6 - 6.4.7 There are ongoing discussions between the Applicant and CCC as LHA in relation to a handover process that may apply to PROW within the Scheme. However, the detail of that handover process is still being considered and any agreement on that process will be reflected within the legal agreement to be completed.</p> <p>6.4.8 – 6.4.10 There are ongoing discussions between the Applicant and CCC as LHA in relation to a possible design standard and handover or notification process that may apply to PROW within the Scheme. However, the detail of that standard and any handover process is still being considered and any agreement will be reflected within the legal agreement to be completed.</p>
REP1-048bc	<p>6.5 <b>Joint Non-Motorised User (NMU) and Public Rights of Way (PROW) Representations</b></p> <p>6.5.1 CCC is required to consider its public sector equality duty (PSED), (specifically regarding those with disabilities) when considering the provision of facilities for pedestrians and cyclists. It is also the CCC's' policy to consider the needs of equestrians, and where desirable to include equestrian provision (ROWIP SO1- GP1 and SOA2- GP2, SOA2, Ref 2/1). All roadside NMU provisions should, in addition to walkers and cyclists, accommodate equestrian users.</p> <p>6.5.2 Schedule 1 of the Draft DCO (<b>APP-025</b>) (the Schedule of Works) does not include any reference to the construction of NMU facilities and Public Rights of Way. The provision of these facilities is specified in Schedule 3 part 7, so these routes can be considered to have been legally created. However, they should also be identified for physical construction in Schedule 1. For example, work number 98 specifies construction of the new Eltisley Link local road, but the work description makes no mention of the NMU facilities shown in Schedule 3-7 and on the Streets, ROW &amp;</p>



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	<p>Access Plans (<b>APP-013</b>). With the A14 scheme, discrepancies between works and schedules led to issues over which text in the DCO takes precedence. Inclusion in both sections of the DCO will avoid any ambiguity.</p> <p>6.5.3 The experience of the A14 works is a useful example of lessons that can be learnt regarding the provision and design of NMU facilities. Early engagement with CCC officers and user groups can avoid the need for remedial work by the Applicant when assets are handed over to the LHA and ensure that facilities for people on foot, on bicycles and, where appropriate, on horses, are fit for purpose and allow for growth in user numbers.</p> <p>6.5.4 The example of the shared cycle and pedestrian path built by Highways England at the Histon Road (B1049) roundabout should be a lesson learnt which feeds into the design of the NMU facilities for the A428. In this case there was insufficient engagement with CCC Cycling Team officers, local representatives and user groups, during the detailed design and construction stages for an NMU at-grade crossing of an off-slip. The outcome was that following a series of negative comments received from users of the completed crossing, the design was reconsidered in conjunction with CCC and corrective works were required in order to optimise the layout of the affected NMU crossing, including the re-siting of some electronic signal infrastructure. This has come at an additional monetary cost to the Applicant in terms of revising the physical layout, and a time cost in terms of the negotiations undertaken with CCC to reach a solution. It is therefore essential that design matters related to PROW and NMU facilities are discussed in detail with the relevant LHA to ensure costly remedial works are not required. Appropriate provision will be required in a legal agreement with the Applicant. This applies in relation to the provision of highway apparatus within the new PROW and NMU, as well as any issues related to alignment or width of such facilities. There has been significant frustration experienced by both CCC and highway users, that the A14 NMU provision elsewhere was to a minimum standard, with poor crossings of accesses and no set-back from a high-speed carriageway. At little, if any, extra expense the shared paths could have been designed to be safer, more convenient to use, and more pleasant places to be.</p> <p>6.5.5 There is also an inconsistency in the Applicant's provision for NMUs across its schemes. For example, the Highways England, Caxton Common to Hardwick improvement scheme which opened in 2007 and will connect to the A428 Black Cat to Caxton Gibbet scheme, included signalised crossings for NMUs at each of the slip roads into Cambourne. This is to ensure that users can safely cross where vehicles will be accelerating up to or decelerating rapidly from 70mph, making it difficult for non-motorised users to assess when it is safe to cross. Signalised crossings at these locations also prevent users being deterred from using these routes. Similar provision is not proposed for slip roads in the current works and no explanation or justification is given.</p> <p>6.5.6 Any gaps in provision for NMUs that remain unaddressed by the DCO should not be neglected as part of this process. The delivery of the DCO represents an opportunity to bridge such gaps efficiently while the legal authority</p>

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	<p>and physical and financial resource is available. Re-working recently constructed facilities does not enhance the public reputation of either Highways England or the LHA. These are detailed at 6.5.7 (b) to 6.5.7 (m) inclusive. CCC requests that sites such as this are reconsidered for inclusion in the DCO and is happy to engage constructively on the matter.</p> <p>6.5.7 It is the Councils' strongly held opinion that NMU improvements should be delivered by the Scheme where they sit within the red line boundary: it is unreasonable to push the risk and burden of delivering these improvements onto the LHA. The Councils request the inclusion of the following specific NMU improvements within Part 7 of Schedule 3 to the draft DCO (<b>APP-025</b>):</p> <ul style="list-style-type: none"> <li>(a) NMU facilities alongside the sections of the former A428 that are to be de-trunked. Any asset which is to be transferred to, or maintained by, CCC as the Local Highway Authority must comply with Local Transport Note 1/20 Cycle Infrastructure Design. A continuous, safe NMU route should be provided between Cambourne and St. Neots in accordance with government and local policies set out above. The proposed provision for NMUs is not acceptable in terms of route continuity and crossing facilities, as set out below.</li> <li>(b) Safe NMU provisions should be installed in the verges to the re- aligned Potton Road (connecting to footpath 1/11 on Streets, Rights of Way and Access sheet 5 (APP-013)) and the B1046. These roads have a 60mph limit and the new T-junction and bridge will present visibility issues. The proposed bridge should include safe NMU segregated provision across the new A428, future-proofing this site for potential future enhancements to the cycle network and the PROW network. This amendment is required to bring the Scheme into compliance with ROWIP (SOA2, GP2; SOA5, GP5).</li> <li>(c) At the new Cambridge Road junction, Streets, Rights of Way and Access sheet 9 (APP-013) a signalised NMU crossing at the A428 eastbound on slip road should be provided to enable NMU users to safely negotiate the junction. This amendment is required to bring the Scheme into compliance with ROWIP (SOA2, GP2, SOA2, Ref 2/1).</li> <li>(d) At the new Cambridge Road junction, Streets, Rights of Way and Access sheet 9 (APP-013), a signalised NMU crossing at the A428 westbound off slip should be provided to enable NMU users to safely negotiate the junction. This amendment is required to bring the Scheme into compliance with ROWIP (SOA2, GP2, SOA2, Ref 2/1).</li> <li>(e) The Councils note that the Toseland Bridge , Streets, Rights of Way and Access sheet 11 (APP-013), will only have a footway. A NMU available to walkers, cyclists and equestrians should be provided here in accordance with ROWIP SOA2, GP2. This should also allow for cyclists to continue north with a suitable</li> </ul>

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	<p>transition from off to on-road; and south of the bridge a crossing facility should be provided to enable safe access to Abbotsley Road, on the south side of the current A428. This route had previously been indicated as shared use paths in earlier iterations of the design and has been downgraded.</p> <p>(f) The Eltisley Link North roundabout Streets, Rights of Way and Access sheet 13 (APP-013), should facilitate cyclists who wish to continue northwards on the B1040 with a suitable transition from off to on road. The roundabout should be designed to slow traffic speeds with LTN 1/20 compliant refuges for crossing the roundabout.</p> <p>(g) The NMU link between Eltisley and the Caxton Gibbet Junction North Roundabout: Streets, Rights of Way and Access sheets 13 &amp; 14 (APP-013) has a 600-metre gap in provision where vulnerable NMU users would have to use the carriageway. This conflicts with ROWIP SOA2, GP2 and SOA5, GP5. The proposed NMU link requires users to cross the re-aligned old A428 with no provision, and the link into Eltisley ends before it is safe to be on- road. This is an important east-west link, particularly as a route to school. This DCO should include a continuous, safe, segregated NMU route from Eltisley village to the Caxton Gibbet roundabout with a suitable LTN 1/20 compliant crossing.</p> <p>(h) At the Caxton Gibbet Junction North Roundabout, Streets, Rights of Way and Access sheet 14 (<b>APP-013</b>), the NMU crossing of the A1198 should be a signalised crossing with a suitably sized central island, or an underpass to allow all classes of NMU users to cross the 3 southbound and 2 northbound lanes of traffic safely. This amendment is required to bring the Scheme into compliance with ROWIP (SOA2, GP2).</p> <p>(i) At the Caxton Gibbet Junction North Roundabout, Streets, Rights of Way and Access sheet 14 (<b>APP-013</b>), a signalised crossing should be provided across the on-slip to the A428 eastbound. This amendment is required to bring the Scheme into compliance with ROWIP (SOA2, GP2).</p> <p>(j) At the Caxton Gibbet Junction South Roundabout, Streets, Rights of Way and Access sheet 14 (<b>APP-013</b>), a signalised crossing should be provided across the off-slip from the A428 westbound. This amendment is required to bring the Scheme into compliance with ROWIP (SOA2, GP2 and SOA5, GP5).</p> <p>(k) At the Caxton Gibbet Junction Services, Streets, Rights of Way and Access sheet 14 (<b>APP-013</b>), the footway linking to the services should be built as an NMU for pedestrians and cyclists to enable workers and customers services to safely access them by active travel. This amendment is required to bring the Scheme into compliance with ROWIP (SOA2, GP5). This route had previously been indicated as shared use paths in earlier iterations of the design and has been downgraded.</p>

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	<p>(l) At the Caxton Gibbet junction South Roundabout, Streets, Rights of Way and Access sheet 14 (<b>APP-013</b>), the NMU southwards along A1198 should continue on the eastern side and not cross the A1198. This will facilitate connectivity into the planned NMU connections of the developments at Cambourne West, avoiding non-motorised users needing to cross the A1198 twice within a short distance. This amendment is required to bring the Scheme into compliance with ROWIP (SOA2, GP2).</p> <p>(m) Footpath 1/17: Streets, Rights of Way and Access sheet 14 (<b>APP- 013</b>), CCC's request for the upgrade of FP 1/17 to Bridleway status, included in its Supplementary Consultation response, and the associated improvements to the proposed NMU bridge over the new A428, have not been incorporated into the draft DCO. This is disappointing as an opportunity to enhance the network for all local users has been missed. This amendment is required to bring the Scheme into compliance with ROWIP (ROWIP SOA2 Ref 2/1).</p> <p>6.5.8 In relation to connectivity at the Caxton Gibbet Junction to Cambourne Junction, the speed and volume of traffic on the old A428 section between Brockley Road, Elsworth and Cambourne junction is not suitable for cycling, and so the NMU route from the Caxton Gibbet roundabout to the old A428 at Brockley Road should be continued eastward to link with the existing NMU route into Cambourne. This is a high priority route in the draft Cambridgeshire Local Cycling and Walking Infrastructure Plan and, with the Applicant's funded link to Papworth Everard, would provide a continuous segregated route from Papworth to Cambourne.</p>
Applicant Comment	<p>6.5 <b>Joint Non-Motorised User (NMU) and Public Rights of Way (PROW) Representations</b></p> <p>6.5.1 The routes that the Scheme is providing and that will be handed over to CCC can be designated for equestrian use by CCC following handover.</p> <p>6.5.2 The Applicant will consider this further, however at this stage the Applicant believes that it is not necessary to expressly include these details in Schedule 1 of the dDCO [<b>REP1-003</b>]. This is because the footway/cycleways forming part of the Scheme are within the extent of the highway works described, i.e. they will form an integral part of the carriageway of the various roads being constructed as part of the Scheme. Where a PROW does not form an integral part of the highway works described it is separately noted within the description of the works set out in Schedule 1 of the dDCO.</p> <p>6.5.3 The Applicant will continue to engage with CCC as the detailed design progresses.</p> <p>6.5.4 The Applicant notes the issues raised in respect of the Histon Road (B1049) roundabout. The detailed design of the roads that will be handed over to CCC will be discussed and agreed with CCC as part of the ongoing engagement.</p>

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	<p>6.5.5 Signalised crossings will be provided at all slip road crossing locations. These will be part of the detailed design.</p> <p>6.5.6 The Applicant will continue to engage with CCC.</p> <p>6.5.7 The Applicant has considered each of the NMU requests from CCC in turn below:</p> <ul style="list-style-type: none"> <li>(a) The Applicant is not required to adopt the principles of Local Transport Notes. They are advisory documents produced by the DfT and whilst they are recommended to local highway authorities for use on their roads, compliance with them by local highway authorities is not mandatory. A new NMU route on the de-trunked section of the A428 between St Neots and Caxton Gibbet would be outside the proper scope of the Scheme.</li> <li>(b) There is no NMU provision on the existing Potton Road and the B1046 between St Neots and any of the nearby villages of Waresley, Abbotsley or Gamlingay Cinques. The realignments do not preclude CCC providing NMU facilities as part of the CCC ROWIP in the future.</li> <li>(c) A signalised crossing of the slip road will be provided as required by the DMRB.</li> <li>(d) A signalised crossing of the slip road will be provided as required by the DMRB.</li> <li>(e) The footway on Toseland Road and on the new Toseland Road bridge has been included to facilitate the diversion of Footpath 278/7 to the east. The route provided goes further than is strictly needed to facilitate the diversion and links to the footway on the existing A428. The route was changed from shared unsegregated footway/cycleway to footway only following a review of the provision, as it was being made to link up the diverted section of Footpath 278/7.</li> <li>(f) Please refer to RR-013bj in the Applicant's Response to Relevant Representations <b>[REP1-021]</b>.</li> <li>(g) Please refer to RR-013bn in the Applicant's Response to Relevant Representations <b>[REP1-021]</b>.</li> <li>(h) A signalised crossing and island will be provided as required by the DMRB.</li> <li>(i) A signalised crossing of the slip road will be provided as required by the DMRB.</li> <li>(j) A signalised crossing of the slip road will be provided as required by the DMRB.</li> <li>(k) The route on the west side of the A1198, south of the Caxton Gibbet junction was originally shown as a shared footway/cycleway. This was changed to footway only where it meets the filling station site as there are a number of entrances/exits from the site that make a continuous cycling route impractical. A route for cyclist has been provided on the east side of the A1198 for those cyclists who wish to travel north through</li> </ul>

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	<p>the Caxton Gibbet junction. See General Arrangement drawing Sheet 14 <b>[APP-011]</b>. For those visiting the services (on the west side of the A1198) it is anticipated that they dismount when they reach the end of the footway/cycleway section at the entrance to the services.</p> <p>(l) The Applicant requires further clarification from CCC in relation to this point because users are not required to cross the A1198 twice. The provision of the footway/cycleway on the west side of the A1198 is to allow cyclists to come off the carriageway, cross the A1198 using the refuge (or signalised crossing if this is deemed required during detailed design) and then continue north through the junction via the footway/cycleway. The provision on the east side of the A1198 takes users to the service area, but as there is no NMU provision into the service area there is nothing to connect to. The Cambourne West development does not appear to provide specific NMU facilities alongside the A1198 to connect into either.</p> <p>(m) Upgrading the section of FP 1/17 affected by the Scheme to bridleway status would create an isolated section of bridleway that could not be used.</p> <p>6.5.8 It is the Applicant's understanding that this is referring to a scheme that CCC were to have provided and the Applicant provided funding for preliminary designs to be carried out in 2018 as part of the CCC proposed NMU route between Papworth Everard and Cambourne.</p>
REP1-048bd	<p>6.6 <u>Public Rights of Way Specific Representations</u></p> <p>6.6.1 <i>Footpath 1/9, Hen Brook:</i> CCC requests that the underpass which Footpath 1/9 will share with the Hen Brook beneath the new A428 is sufficiently open and high, so users do not feel unduly enclosed. The public right of way should have a width of 3.5 metres and a height of 4 metres and be upgraded to a bridleway, as part of supporting the Wintringham Park PROW strategy. This amendment is required to bring the Scheme into compliance with ROWIP (SOA5, GP5).</p> <p>6.6.2 <i>Incorrect reference:</i> 3.1 draft DCO Vol.3 Part 7, page 90 (<b>APP-025</b>) states "1406 metres of footpath from point 6/2 to point 8/1 to point 8/3 as shown on Sheets 6 and 8 of the streets, rights of way and access plans." and "166 metres of footpath from point 8/1 to point 8/2 as shown on Sheet 8 of the streets, rights of way and access plans". These paths are erroneously described as being in Bedford Borough Unitary Authority area; whereas they are actually wholly in Cambridgeshire. CCC requests that the draft DCO is amended to correct this inaccuracy. In addition, in 3.1 draft DCO Vol.3 Part 7, page 90, the distance is between 8/1 to 8/2 is 166 metres, whilst in 3.1 draft DCO Vol.3 Schedule 4, Part 2, page 104, the distance is 160 metres.</p>



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	<p>6.6.3 <i>Incorrect reference:</i> 3.1 draft DCO Vol.3 PART 7, page 91 (<b>APP-025</b>) states “<i>Toseland CP, Croxton CP, Yelling CP; 32 metres of footway...</i>” The wording “Cambridgeshire County Council” has been omitted here and should precede the parish references. Legal events for the creation of Public Right of Ways could be invalid due to omission of the County name. CCC requests that the draft DCO is amended to correct this inaccuracy.</p> <p>6.6.4 <i>Footpath 1/16:</i> The revised route of Footpath 1/16 seems to unnecessarily pass down to and up from a cutting, before users are discharged onto the combined NMU route and maintenance track adjacent the accommodation bridge. If the route follows along the top of the cutting, the issue would be resolved. An amendment is required to the route to bring the Scheme into compliance with ROWIP (ROWIP SOA1, GP 1).</p> <p>6.6.5 <i>Bridleway 1/18:</i> It is noted that a new accommodation bridge carries PMA no.47 over the new A428, as well as the realigned Bridleway 1/18. The matter of the party responsible for maintaining the surface remains unclear. We request that the draft DCO is amended to clarify that in circumstances where private means of access and PROW share the same surface, as in this instance, the burden of maintenance for that surface should be with the party benefiting from the private access.</p> <p>6.6.6 <i>Caxton Gibbet Junction Services:</i> The footway linking to the services should be built as an NMU for pedestrian and cyclists, to enable workers and customers to safely access the services by active travel. This amendment is required to bring the Scheme into compliance with ROWIP (SOA5, GP5).</p> <p>6.6.7 <i>Caxton Gibbet Junction, continuation of NMU southwards along A1198:</i> This should stay on the eastern side of the A1198. This will facilitate connectivity into the planned NMU facilities to be delivered in association with the development of Cambourne West, avoiding the need for non-motorised users to cross the A1198 twice within a short distance.</p> <p>6.6.8 <i>Private access road between Caxton Gibbet north roundabout and Brockley Road, Elsworth: The Streets, Rights of Way and Access Plan no 15 (APP-013)</i> shows a new bridleway being provided along the private access road between Caxton Gibbet north roundabout and Brockley Road, Elsworth (points 14/5 to 15/1). However, the route appears to share its surface with a private means of access. As noted above, responsibilities for these shared surfaces need to be clarified. The draft DCO needs to be amended to address this concern.</p>
Applicant Comment	<p>6.6.1 The Applicant proposes an underpass for the combined footway and watercourse diversion that is 6.85m wide by 4.25m high of which the footpath is 3m wide. The provision of upgraded facilities, where there is no evidence of need, is outside the scope of the Scheme. The Applicant does not preclude the Council from implementing upgrades to the footpaths, whilst evidencing the need and securing the additional land to deliver these facilities.</p>



Reference Number	Written Representation/Applicant Comment
	<p>6.6.2 The Applicant can confirm that the new footpaths from point 6/2 to point 8/1 to point 8/3 and point 8/1 to 8/2 are wholly within Cambridgeshire County Council and not Bedford Borough Unitary Authority. The Applicant can also confirm that the footpath from point 8/1 to 8/2 is 160m. The respective items will be reflected in the next update of the dDCO submitted at Deadline 4</p> <p>6.6.3 This amendment will be reflected in the next update of the dDCO submitted at Deadline 4.</p> <p>6.6.4 The alignment of the proposed reprovision of Footpath 1/16 is shown on Sheet 8 of the Streets, Rights of Way and Access Plans <b>[APP-013]</b>. As part of the proposals, the existing section of Footpath 1/16 from just south of the new dual carriageway to the to a point where it meets the existing A428 road will be stopped up. This aligns with the section just north of the existing A428 which has been stopped up as a result of the Wintringham Park Development. It is proposed that walkers in this location will now use Footpath 1/17 which the proposed realignment ties into.</p> <p>CCC have identified concerns that the proposed realignment unnecessarily passes through a cutting introduced by the proposed new dual carriageway. Locating the footbridge that carried the realigned footpath over the new dial carriageway allows it to fit into the landscape, rather than having a footbridge over the new dial carriageway where it is at existing ground level. This would require the bridge to be above existing ground level and it would not fit well into the landscape. In the existing condition (over the distance of the proposed southern cutting), the ground level which the current Footpath 1/16 travels along rises approximately 1m in height. The Applicant has proposed improvements to this by introducing earthworks that shallow out the existing ground level which provides the added benefit of improving the cut and fill balance for the Scheme. Sheet 8 of the Land Plans <b>[APP-008]</b> shows that the land being taken for the cutting (plot 8/5e) is a temporary acquisition and will be returned to arable land after construction. This can only be done when the gradient of the land can be used by farming machinery (typically when the gradient is no steeper than 1 in 10 or 10%). In this instance, the variable gradient of the proposed route is approximately 1 in 673 or 0.15% which is far shallower than 10%.</p> <p>The route of the footpath follows the permanent land acquisition boundary and is intended to make the route easier to follow. If the Applicant had done as the Local Authority is suggesting, the route may not be clear as the cutting is so shallow that it will not be a visually recognisable feature which a walker could use as a waypoint.</p> <p>The Local Authority has made reference to ROWIP in which SOA1 is defined as making the countryside more accessible (community cohesion) and Guiding principle GP1 is defined as "Countryside access provision should be physically accessible to the widest possible range of people. Management and improvement of the existing Cambridgeshire Rights of Way network should aim to increase that accessibility, while new countryside access</p>

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	<p>provision should generally be planned to avoid imposing restrictions. Where an existing path may not be fully accessible to those with limited mobility due to limits imposed by external constraints, such route limitations should be effectively communicated to users". Whilst the Applicant does not accept that it needs to comply with the principles of the CCC ROWIP, it does not view the proposals as a breach of the Statement of Action or the Guiding Principle in this location.</p> <p>6.6.5 The Applicant is considering the appropriate maintenance split that should occur in this instance. The outcome of this further consideration will either be captured within the updated dDCO to be provided at Deadline 4, if appropriate, or will be the subject of the ongoing discussions with the Cambridgeshire authorities and those discussions will be captured in the Statement of Common Ground to be submitted at Deadline 4.</p> <p>6.6.6 The alignment of the proposed footway providing access to the Caxton Gibbet Junction Services is shown on Sheet 14 of the Streets, Rights of Way and Access Plans <b>[APP-013]</b>. The proposals feature a section of shared use Footway/Cycleway (14/7 to 14/8) which provides a crossing point for cyclists to navigate the proposed Caxton Gibbet Junction and a section of "footway only" which allows access to the Caxton Gibbet Junction Services (14/8 to 14/9 and 14/10 to 14/11).</p> <p>As these sections of "footway only" cross two accesses into the service facilities off of the A1198 and the existing A428 road within quick succession, it is not expected that cyclists would mount their bicycle in between crossing the uncontrolled crossing points providing accesses into the service facilities. It is expected that cyclists dismount when navigating to the shell garage and convenience store as the frequent use of these accesses by vehicular traffic would introduce unnecessary safety risks to cyclists.</p> <p>The Local Authority has made reference to ROWIP SOA5 - Filling in the Gaps - Guiding principle GP5 Countryside access provision should build on the platform of the historical network to meet the needs of today's users and land managers. The proposed footway sections 14/8 to 14/9 and 14/10 to 14/11 are included to provide access to the service facilities only. They are building on the existing network of NMU provision in this location whilst considering the safety aspects of the design proposals. As set out previously, Whilst the Applicant does not accept that it needs to comply with the principles of the CCC ROWIP, it does not view the proposals as a breach of the Statement of Action or the Guiding Principle in this location.</p> <p>6.6.7 The alignment of the proposed NMU provision along the A1198 south of the proposed Caxton Gibbet Junction is shown on Sheet 14 of the Streets, Rights of Way and Access Plans <b>[APP-013]</b>. In the existing condition, the A1198 through the existing Caxton Gibbet roundabout has no dedicated shared use route footway cycleway. The Applicant proposes this provision through the proposed junction to introduce a safe passage through the proposed Caxton</p>

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	<p>Gibbet Junction, eliminating severance. This would be for the council or the Cambourne developer to tie into the Cambourne West Development.</p> <p>6.6.8 The Applicant is considering the appropriate maintenance split that should occur in this instance. The outcome of this further consideration will either be captured within the updated dDCO to be provided at Deadline 4, if appropriate, or will be the subject of the ongoing discussions with the Cambridgeshire authorities and those discussions will be captured in the Statement of Common Ground to be submitted at Deadline 4.</p>
REP1-048be	<p>7. <b>BIODIVERSITY / ECOLOGY</b></p> <p>7.1 The Councils have concerns regarding:</p> <p>7.1.1 The robustness of the baseline survey data used to inform conclusions drawn within the Environmental Statement:</p> <ul style="list-style-type: none"> <li>(a) Aquatic and river habitats were assessed under significantly dry and hot conditions, which scoped out many areas due to lack of water. No attempt to re-survey under better conditions was made prior to the submission of the DCO application. Similar issues were found with fish and aquatic invertebrate surveys. In addition, fish survey data was over two years old and is considered out of date prior to the submission of the DCO. Terrestrial invertebrate data was similarly out of date and should have been updated prior to the submission of the DCO application. Terrestrial invertebrate data was limited to predominantly day flying and easily observed species. Only pitfall trapping was used to capture nocturnal species (such as coleoptera, non-flying Hymenoptera), no attempt to survey moths which are important to the County's bat population, for example, was made.</li> <li>(b) No surveys were undertaken of potential priority habitat grassland and a Protected Road Verge. Details for the arable field margin survey are missing, including the extent of field surveys and location of arable field margins of importance.</li> <li>(c) The Applicant should provide up to date survey data where necessary, re-survey those areas that were subject to significant short-term climatic events and re-visit the scope of terrestrial invertebrate survey to include important local species such as moths.</li> </ul>
Applicant Comment	<p>(a) The aquatic habitat surveys were undertaken within the period recommended for such surveys, both scoping surveys (2017) and the aquatic habitat surveys (2018). The survey period in 2018 was very warm and dry, and a number of the brooks, ditches and ponds were dried out. To ensure a comprehensive database, those sites found to be dry were re-visited in April, June and July 2021 and were again found to be dry or with very little water. In the</p>

Reference Number	Written Representation/Applicant Comment
	<p>case of the watercourses, this is explained by the drainage of the intensive arable agriculture and in the case of ponds due to terrestrialisation especially where surrounded by trees. the results of these surveys are being used to provide any updates to those data collected in 2018-19 and will be communicated to CCC, SCDC and HDC.</p> <p>The aquatic habitat scoping survey was undertaken in 2017 with the fish surveys being carried out in October 2018 due to the dry summer. Given that the Environment Agency has acknowledged satisfaction regarding the fish fauna assessment and that there have not been any significant changes in the landscape around the Scheme, it was decided that an update survey of Hen Brook was not necessary and would pose a risk to the fish fauna of this already stressed watercourse. Pre-construction surveys have been recommended for aquatic habitats. All of the data available from the Environment Agency were taken into consideration (Appendix 8-15 of the Environmental Statement [APP-202]) along with data obtained in the review of background information (Appendix 8-1 of the Environmental Statement [APP-188]). Bedfordshire Natural History has had an active county recorder for its fish fauna for at least the last 10 years, annual accounts being published in the Bedfordshire Naturalist including for the River Great Ouse. Cambridgeshire has not had a county recorder for fish over this period, however, the Bedfordshire Naturalist reports cover that part of the River Great Ouse in the Scheme boundary and its zone of influence, i.e. up to the county boundary. On this basis, it was decided that a fish survey of the River Great Ouse was both unnecessary and could potentially damage the fish fauna.</p> <p>The extent to which most British invertebrates are or are not attracted to or affected by light is currently unknown. Many moth species are to some extent attracted to light and White-spotted Pinion is one of them, but to even begin to speculate as to how operational lighting might affect the species in the vicinity of the Scheme would be scientifically spurious. The surveyor did not carry out moth trapping because with this indiscriminate method, there is no direct way of knowing where moths attracted to a trap have originated from (i.e. whether from within or far outside the site survey boundary). The surveyor is not aware of any research of the effects of operational lighting nor of any other surveys by other colleagues in the profession that have ever taken this question into consideration for invertebrates.</p> <p>(b) As set out in Appendix A of the Case for the Scheme [APP-240], a biodiversity assessment has been undertaken as part of the EIA (Chapter 8, Biodiversity of the Environmental Statement [APP-077]). This concludes that no significant effects on internationally, nationally and locally designated sites, and protected species and habitats (including Habitats and Species of Principle Importance as listed under Section 41 of the Natural Environmental Rural Communities (NECR) Act 2006) are likely. The EIA also evaluated the potential for the Scheme to result in effects on sites of geological conservation importance.</p>

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	(c) Please refer to the above text.
REP1-048bf	<p>7.1.2 The methodology used in the Biodiversity Net Gain assessment:</p> <p>(a) The Applicant is using a bespoke Biodiversity Net Gain Calculator modified from the 2012 "Warwickshire" model. However, the Applicant model further reduces the level of detail required significantly from the original. The Applicant's model assumes that all post construction habitats will never reach anything other than "low" quality, that all pre-construction habitats in a single category are of the same quality (for example, that all semi-improved grassland across the whole scheme is of medium quality) and does not distinguish between linear and area biodiversity scores. By not separating linear and area biodiversity scores, the Applicant has not identified that the scheme will have a net loss in linear biodiversity. There is also the issue of mathematical integrity, as the model puts both linear (measured in km) and area (measured in ha) in the same calculation, the model does not appear to be mathematically sound. Biodiversity Net Gain principles are clear, in that, net gains should be provided in both area and linear biodiversity. Considering that the hedgerow surveys undertaken by the Applicant stated that the hedgerow network as a whole should be considered up to County level importance due to the contributing ecosystem services to other species (birds and insects for example), this is not acceptable.</p> <p>(b) The Councils request that the Applicant re-calculates the biodiversity net gain calculation using either the DEFRA Metric 2.0 or 3.0, separating pre-construction habitats into their different habitat quality groups, or provides better assumptions regarding post-construction habitat quality. Use of either of these metrics will automatically separate linear and area biodiversity.</p>
Applicant Comment	<p>(a) National Highways' metric is based on the Defra metric 1.0 and after a period of development has been widely used across the highways network. The Applicant is confident that the outcome of the calculations provides a reliable and comparable measure of Biodiversity Net Gain <b>[APP-206]</b>.</p> <p>(b) The Applicant refers the Cambridgeshire Authorities to its revised calculations in its Biodiversity Net Gain Metric 2.0 report <b>[TR010044/EXAM/9.25]</b> submitted at Deadline 3 of the Examination.</p>
REP1-048bg	<p>7.1.3 The completeness of the Environmental Masterplan (APP-091), which does not reflect general works arrangements and does not maximise biodiversity opportunities:</p> <p>(a) Some of the habitats to be created under the Environmental Masterplan (<b>APP-091</b>) appear to be either inappropriate, fail to adequately mitigate / compensate for adverse impacts, or are a missed opportunity to</p>

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	<p>provide greater biodiversity net gain. Mitigation strategies for these habitats and species (e.g. arable field margins, farmland birds, Great Crested Newt and invertebrates) must be developed and incorporated into the Env. Masterplan in consultation with the Councils.</p> <p>(b) The use of <i>Betula pendula</i>, silver birch (currently 25% of the woodland mix), is not considered appropriate within the climatic conditions of the County. Cambridgeshire is much dryer than much of the UK and species such as this require much higher levels of soil moisture than will be available within the scheme boundary. Therefore, it is likely that these species will not thrive under the conditions, and not reach their full potential. While other species, such as elm sp., which is a key component of local woodland, hedgerows and veteran trees and supports terrestrial invertebrate assemblages of county importance have not been included within the planting scheme. The proposed planting scheme should be updated to address this comment.</p> <p>(c) The Environmental Statement (<b>APP-077</b>) is quite clear that 18 new ponds are to be created to mitigate the loss of aquatic habitats; however, the soft landscaping scheme does not provide any areas that would be considered a pond, nor is it clear if these features would be considered anything more than attenuation features and therefore of little advantage to aquatic species. The Councils requests that clarity of the location and characteristics of the 18 new ponds is provided.</p> <p>(d) The design of new hedgerows should be made much clearer, for example, allowing trees to grow within them, and expanding their range to provide a net gain in linear biodiversity which is currently lacking.</p> <p>(e) The Environmental Masterplan (<b>APP-091</b>) states that there will be mammal tunnels provided to mitigate badger, bat, and otter movements across the scheme. However, no design detail of these features has been provided within the application documents. The Applicant must re-consider the habitats which are to be created and gain a better understanding of local climatic conditions when choosing species and habitats. Where mitigating features such as mammal tunnels and ponds have been promised within either the Environmental Statement (<b>APP-077</b>) or Environmental Masterplan (<b>APP-091</b>), there should be consistency across other areas of the DCO, such as road design, underpasses and drainage.</p> <p>(f) Biodiversity net gain could be boosted in several ways. Firstly, through less reliance on woodland habitats. Although they can provide biodiversity net gain, it can take up to 35 years for these habitats to reach their full potential therefore their contribution to overall biodiversity net gain is less significant. Concentrating on the creation of aquatic and wetland habitats, along with rich native grasslands would provide a far greater gain in biodiversity across the Scheme in the near term. Currently there is a loss in linear biodiversity,</p>



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	<p>therefore, a greater amount of native mixed species hedgerows is needed to deliver linear biodiversity net gain.</p> <p>(g) It is unclear how site compounds, soil storage areas and borrow- pits will be restored. It is understood they will be restored to arable farmland, although the general arrangement plan shows the Caxton Gibbet borrow-pits to be restored to amenity grassland. These areas provide the maximum opportunity for enhancement for biodiversity, located away from the road and therefore opportunities to mitigate impacts to habitats &amp; species, as well as providing biodiversity net gain.</p>
Applicant Comment	<p>(a) Habitat creation as in the Environmental Masterplan <b>[APP-091]</b> has been designed to mitigate for and enhance habitats facilitating connectivity including for farmland birds and Great Crested Newt. There is no habitat compensation as none is required. The net biodiversity gain is calculated using the Defra Metric 2.0 which has been submitted at Deadline 3 <b>[TR010044/EXAM/9.25]</b>.</p> <p>(b) The Applicant welcomes the advice on species types and mixes. The species mixes were amended based on views received from the landscape architects from both HDC and SCDC. If CCC/HDC/SCDC wish to propose further amendments, please include a copy of these in the Statement of Common Ground for formal discussion.</p> <p>(c) The new ponds as included in the Scheme, the locations of which are provided in the Chapter 8, Biodiversity <b>[APP-077]</b> of the Environmental Statement and also on the Environmental Materplan, also known as Sustainable Drainage Systems (SuDS), are recognised as having significant biodiversity value (Graham et al., 2012; Moss, 2017). These nodes of biodiversity mirror parts of the communities found in field ponds and as such make an important contribution in reducing the distance between these ponds in a landscape which has seen a substantial decrease in the number and hence density of these wetland habitats. Preston <i>et al.</i> (1989) describe both the biodiversity value of ephemeral ponds in south Cambridgeshire and the decrease in their distribution due to intensification of agriculture and other factors. Relton (1972) provides a similar analysis quantifying the loss of ponds in an area of Huntingdonshire from 1890 to 1970 as 56%.</p> <p>Graham. A., Day, J., Bray, R. and Mackenzie, S. 2012. Sustainable drainage systems – Maximising the potential for people and wildlife: a guide for local authorities and developers. RSPB, Wildfowl and Wetland Trust.</p> <p>Moss, B. 2017. Ponds and small lakes. Pelagic Publishing, Exeter.</p> <p>Preston, C.D. with the assistance of J. H. Bratton and D.E. Coombe. 1989. The ephemeral pools of south Cambridgeshire. Nature in Cambridgeshire, 31, 2-11.</p>



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	<p>Relton, J., 1972. Disappearance of farm ponds. Monks Wood Experimental Station Report 1969-1971, pp 32-33.d) .The calculation of biodiversity net change using the Defra Metric 2.0 describes a net gain for hedgerows. With respect to detailed aspects of hedgerow planting, the Applicant welcomes the advice on species types and mixes and if CCC/HDC/SCDC wish to propose further amendments, please include a copy of these in the Statement of Common Ground for formal discussion.</p> <p>(e) The Environmental Masterplan <b>[APP-091]</b> includes the extent and location of all habitats and features including underpasses. These habitats and features have been located strategically in relation to the survey data for species such as Badger and bats as well as to maximise continuity along the route.</p> <p>(f) Biodiversity net gain for the habitats in the Scheme (excluding hedgerows) in part due to the extent of new woodland habitat, the extent and quality of which in the surrounding landscape is very low. The Defra Metric 2.0 takes the time required to reach full potential into account in the calculation. The overall increase in length of hedgerow and a positive biodiversity net gain for this habitat indicates that the Scheme provides well for hedgerows. See document <b>[TR010044/EXAM/9.25]</b>.</p> <p>(g) Information regarding the borrow pits is reported in the "Borrow Pits Excavation and Restoration Report" <b>[TR010044/EXAM/9.24]</b>, which the Applicant has submitted to the Examination at Deadline 3. From a biodiversity viewpoint, the appraisal of these areas has assumed that they will be returned to the same land use as pre-construction. This includes the data used in calculating biodiversity net gain.</p>
REP1-048bh	<p>7.1.4 There has been insufficient consideration of the impact on Hen Brook and Wintringham Brook in terms of biodiversity and water quality resulting from insufficient survey data:</p> <p>(a) Due to surveys being undertaken in abnormally dry and hot conditions, the results of the baseline surveys for these areas are not considered to be sound. Further surveys under more median conditions would provide much more confidence in the baseline assessment.</p> <p>(b) The Environmental Masterplan (<b>APP-091</b>) identified surveys as part of a Water Framework Directive Strategy, but these have not been provided.</p>
Applicant Comment	<p>(a) The aquatic habitat surveys were undertaken within the period recommended for such surveys, both scoping surveys (2017) and the aquatic habitat surveys (2018 and 2019). The survey period in 2018 was very warm and dry, and a number of the brooks, ditches and ponds were dried out. To ensure a comprehensive database, those sites found to be dry were re-visited in April, June and July 2021 and were again found to be dry or with very little</p>

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	<p>water. In the case of the watercourses, this is explained by the drainage of the intensive arable agriculture and in the case of ponds due to terrestrialisation especially where surrounded by trees. the results of these surveys are being used to provide any updates to those data collected in 2018-19 and will be communicated to CCC, SCDC and HDC.</p> <p>(b) The results of the aquatic habitats, fish and aquatic invertebrates including with respect to Water Framework directive condition assessments have been provided in Appendix 8-4 Aquatic Habitats <b>[APP-191]</b>, Appendix 8-15 Fish <b>[APP-202]</b> and Appendix 8-17 Aquatic Invertebrates <b>[APP-204]</b>.</p>
REP1-048bi	<p>7.1.5 Some of the assessments of ecological impact do not present robust evidence to justify the predicted impact:</p> <p>(a) As stated previously there is a permanent loss of linear habitats, the Environmental Statement (<b>APP-077</b>) has called this a “temporary loss”, a conclusion which is not supported by either the Environmental Masterplan (<b>APP-091</b>) or the biodiversity net gain calculations.</p> <p>(b) The Environmental Statement (<b>APP-077</b>) does not provide clear evidence that the increase in artificial light across the scheme will not impact commuting and foraging bats. No analysis of light impacts is presented, and it appears to be assumed that there will be no overall increase from pre-construction levels. Without this analysis, (i) a conclusion on the likely significance of the effects of artificial lighting on bat species cannot be reached; and (ii) Natural England will have insufficient information on which to issue a Letter of No Impediment confirming it is satisfied in principle that a European Protected Species licence can be issued at the appropriate time for the relevant disturbance activity.</p> <p>(c) It is welcomed that the lighting scheme will incorporate the mitigation measures set out in chapter 8 of the Environmental Statement (<b>APP-077</b>). However, chapter 8 only provides generic information (paragraph 8.9.122):</p> <p><i>“lighting design has been developed to minimise light-spill onto adjacent habitats, including where there are potential roosts or important foraging and/or commuting habitat that is regularly used by the local bat population”.</i> This does not contain sufficient detail to inform a detailed lighting scheme.</p> <p>There must be certainty of likely impacts on the bat populations (all of which are European Protected Species), so the Councils would expect an outline lighting strategy to be submitted or evidence that there will be no lighting of hedgerows or tree belts.</p>

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	<p>The Councils request that (i) the Applicant provides more detailed information in relation to the lighting design; and (ii) the Applicant is required to develop a wildlife sensitive lighting scheme should show technical specifications which demonstrate measures to avoid lighting impacts to foraging or commuting bats.</p> <p>(d) All predicted impacts stated within the Environmental Statement (<b>APP-077</b>) must be fully evidenced and justifiable. There are important areas that cannot be left to assumption as they may infringe legal obligations under the Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1982 (as amended), the Badger Protection Act 1991.</p> <p>(e) <b>Wimpole and Eversden Woods Special Area of Conservation (international site)</b>. The assessment of impact to the Barbastelle bat population is based on insufficient survey work as set out in Natural England's representation letter dated 10 June 2021. The survey work requested at paragraphs 3.5.1 should be carried out and the results incorporated into an updated assessment.</p> <p>(f) <b>Madingley Slip Road Roadside Verge County Wildlife Site (CWS)</b>. No evidence is provided to demonstrate this flora of the section to be impacted by air pollution is "relatively tolerant to nitrogen". The flora of many road verges in Cambridgeshire have declined over the last 50 years, with nitrogen deposition likely to have contributed to their decline (Shanklin, J. (2021) Nature in Cambridgeshire 2021, currently in draft). Further information on this matter is required.</p> <p>(g) <b>Protected Road Verge S8, Brockely Road (PRV S8)</b>. The assessment of impact to PRV S8 cannot be determined until a detailed botanical survey is undertaken and assessment revised. The assessment does not consider direct impact and states that the PRV is located outside the Order Limits (paragraph 8.9.13, page 57, Chapter 8, 6.1 Env Statement) (<b>APP-077</b>). PRV S8 is shown within the Order limits and within the Limits of Deviation (2-3 Work Plan Regulation 5(2)(j) Sheet 15 Composite) (<b>APP-009</b>). There is potential for the PRV to be directly impacted by the construction of the proposed alignment of junction with the new road (Work No. 109c on the work plan) (<b>APP-010</b>), which is located adjacent to the southern boundary of the PRV.</p> <p>(h) <b>Woodland</b>. The assessment that the magnitude of impact to woodland is of Moderate (beneficial) during the operational phase paragraph 6.1.3 on page 75 &amp; Table 8-10, Chapter 8, 6.1 Env Statement) (<b>APP-077</b>) is not supported. Woodland, including two woodlands of district importance will be lost and remnant fragments of woodland will be vulnerable to future pressures. New woodland will not include key characterises of the existing woodland or resilience to climate change. In particular, the planting mix (Table L-4: Indicative</p>

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	<p>woodland mix (LE 2.1), p131, 6.8 First Iteration of EMP) (<b>APP-234</b>) does not include elm, which is a key component of local woodlands, as identified in the woodland survey results (Table 4-3, page 27, Appendix 8.3, 6.3 Environmental Statement) (<b>APP-190</b>). Therefore, it is considered the Scheme will only deliver Minor beneficial effects, leading to a significance of Slight (beneficial) effect during operational period.</p> <p>(i) <b>Hedgerow</b>. The assessment that the magnitude of impact to hedgerow is of Moderate (beneficial) during the operational period (paragraphs 8.9.113 &amp; 6.1.3 on page 7510 and table 8-10, p.71 Chapter 8, 6.1 Env Statement) (<b>APP-077</b>) is not supported. 87 hedgerows will be lost / severed as part of the scheme. Although new hedgerows are proposed, they do not include key characterises of the existing hedgerows. In particular, they do not include standing deadwood or elm (planting mixes LE4.3 &amp; LE4.4, Tables L-11 &amp; L-12, p131, 6.8 First Iteration of EMP) (<b>APP-234</b>), which is a key component of local hedgerows, as identified in the hedgerow survey results (paragraph 4.4.5, page 32, Appendix 8.3, 6.3 Environmental Statement) (<b>APP-190</b>). Therefore, it is considered that the scheme will deliver some benefits but only Minor beneficial effects, leading to a significance of Slight (beneficial) effect during operational period.</p> <p>(j) <b>Hedgerow connectivity</b>. In addition, the assessment does not consider the impact on hedgerow connectivity, with the hedgerow network identified as county importance (paragraph 4.4.16, Appendix 8.3, 6.3 ES) (<b>APP-190</b>). The Scheme will result in the partial loss / damage to a key characteristic of this county-wide hedgerow network, with no proposed green bridges or wildlife corridors across the route, resulting in Moderate (adverse) magnitude of impact, leading to a significance of Moderate (adverse) effect during construction and operational period</p> <p>(k) <b>Veteran tree</b>. The assessment of impact to the single veteran <i>Ulmus roccra</i> (irreplaceable habitat) cannot be determined until details as to its protection are provided. The tree is located within the Limits of Deviation (2-3 Work Plan Regulation 5(2)(j) Sheet 6) (<b>APP-009</b>). While the veteran tree will be retained in the Environmental Masterplan (<b>APP-091</b>), is not clear how it will be protected during construction works given it is not contained within the Biodiversity pre-commencement plan (appendix 6.13, 6.3 Env Statement) (<b>APP-239</b>).</p> <p>(l) <b>Arable field margins</b>. The assessment of impact to arable field margins (priority habitat) cannot be determined because it is based on insufficient survey information. The terrestrial habitat survey does not include the exact area of fields surveyed or locations of the arable field margins, particularly those identified of county importance (Figure 1, Appendix 8.3, 6.3 ES) (<b>APP-190</b>). Furthermore, the no mitigation hierarchy has been implemented within the design scheme /assessment and therefore, the loss of arable field margins of county importance will result in an adverse impact. The residual impact on this habitat should be</p>

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	<p>addressed through the implementation of an arable field margin mitigation strategy, to be discussed and agreed with the Councils.</p> <p>(m) <b>Grassland.</b> The assessment of impact to grassland cannot be determined until botanical survey work of potential priority habitat grassland has been completed. It is assumed these grasslands were scoped out due to their small areas. However, this must be looked at in context. Only 2.6% of Cambridgeshire is considered to support the highest quality semi-natural habitats (Roquette J., 2019), with the road verge network representing the largest area of unimproved grassland in the county. Therefore, the loss of any small remnant of priority (grassland) habitats may be far more significant in Cambridgeshire than other areas in England. The Councils request that this survey work is agreed with the Councils, carried out and incorporated into an updated assessment.</p> <p>(n) <b>Aquatic habitats.</b> The assessment of impact to aquatic habitats cannot be updated until further survey work is undertaken (as discussed above) and details of survey work / WFD mitigation and enhancement strategy for ecological protection measures identified along several reaches (E3.2, Environmental Masterplan) (<b>APP-091</b>).</p> <p>(o) <b>Bats.</b> The assessment of impact of bats cannot be determined until further survey work for barbastelle bats (as set out in Natural England's representation letter dated 10 June 2021) is carried out and details of the lighting scheme, bat underpasses and any changes to junction design (currently traffic flow modelling suggests the junctions are too large) are provided. The Councils request that this information is provided.</p> <p>(p) <b>Wintering birds.</b> The assessment that the magnitude of impact to wintering birds is of Minor (beneficial) during the operational period (paragraph 8.9.83 and table 8-10, p.71 Chapter 8, 6.1 Env Statement) (<b>APP-077</b>) is not supported. Wintering habitat for farmland bird species, will be permanently lost to the Scheme. There will be some limited gains for species adapted to utilise the road-side habitats (proposed) and are habituated to light, noise and movement. No mitigation measures for other (more sensitive) farmland birds are proposed within site compounds, soil storage or borrow-pits. No consideration has been given to the cumulative effect of displacement of farmland birds as a result of major-scale development across Cambridgeshire (e.g. transport, housing, national infrastructure projects etc.). Therefore, the impact is considered to be <u>Minor (adverse)</u>.</p> <p>(q) <b>Breeding birds.</b> The assessment that the magnitude of impact to breeding birds is of Minor (beneficial) during the operational period (paragraph 8.9.135 &amp; table 8-10, p.71 Chapter 8, 6.1 Env Statement) (<b>APP-077</b>) is not supported. The impact is considered to be Minor-Moderate (adverse), leading to a significance of</p>

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	<p>slight- moderate (adverse) because the assessment does not adequately consider the loss of arable habitat (for farmland birds). The Environmental Masterplan (<b>APP-091</b>) primarily provides habitat within 250m of the scheme which is unlikely to be suitable for passerines given the level of noise pollution will affect their singing abilities. There is no mitigation for farmland birds within site compounds, soil storage areas and borrow-pits, which have the greatest opportunities for breeding birds, away from the road.</p> <p>(r) <b>Amphibians - Great Crested Newt.</b> Insufficient information has been provided to determine the impact on Great Crested Newts (paragraph 8.9.83 &amp; 8.9.135 and tables 8-8 &amp; 8-10, Chapter 8, 6.1 Env Statement) (<b>APP-077</b>). Further information is required to determine whether the favourable conservation status of Great Crested Newt will be achieved, including details of the district level licence eligibility and/or an outline GCN mitigation strategy for the scheme to mitigate the loss of two breeding ponds and terrestrial habitat. Currently, the Environmental Masterplan (<b>APP-091</b>) does not provide mitigation for GCN.</p> <p>(s) <b>Terrestrial Invertebrates.</b> The assessment of impact to terrestrial invertebrates is based on incomplete survey information and therefore the impact on this group cannot be determined until further survey &amp; assessment work is completed. The survey work was limited to 1 or 2 surveys, which is contrary to Natural England guidance for 7 visits between April – October (paragraph 3.3.4, Appendix 8.16, 6.3 Env Statement) (<b>APP-203</b>). In addition, no specific consideration was given to species that are impacted by light. From the surveys conducted to date, the scheme will result in the loss of key characteristic habitat features for terrestrial invertebrates / assemblages of county importance, namely elm and standing deadwood associated with no mitigation proposed. Furthermore, the Landscape Strategy and the scheme actively seeks to remove deadwood as part of the management of individual trees (paragraph 5. 1. 4, 1st Iteration EMP) (<b>APP-234</b>). Therefore, there will be adverse short-medium period and long- term impact on these key assemblages.</p> <p>7.2 The Councils also request that any changes made to the project design envelope as a result of other comments are considered fully within the biodiversity assessment, for example the requirement for underpasses and works to local roads (see in particular sections 6.5 and 6.6).</p>
Applicant Comment	<p>(a) Overall, there will be a net gain in the length of linear habitats (Environmental Masterplan APP-091).</p> <p>(b) The Scheme proposes lighting at conflict areas, typically roundabouts (see orange hatched carriageway in General Arrangement Plans). There is already lighting at most of these conflict areas, and this will be similar in scale to the baseline. For the majority of the Scheme and for the bat tunnel and other underpasses, there will be no lighting and</p>



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	<p>hence there will be no impact from lighting on bats. Neither the River Great Ouse viaduct nor the Toseland Road bridge will be lit.</p> <p>(c) The Applicant has also identified the designing and positioning of construction lighting to minimise light spill onto adjacent habitats, including where there are potential bat roosts and important foraging or commuting habitats that are regularly used by local bat populations. Given that the majority of the length of the Scheme will be unlit including bat tunnel/underpass locations, the magnitude of the artificial lighting impact on the bat population will be Negligible (adverse) in the operational period, resulting in a significance of Neutral.</p> <p>The detailed information in relation to lighting will be reported at the detailed planning stage.</p> <p>(d) The impacts as reported in the Chapter 8, Biodiversity [APP-077] of the Environmental Statement [APP-077] are based on the biodiversity assessment described in Chapter 8, Biodiversity and the supporting appendices. The baseline created from the latter has been kept up to date temporally and spatially. On the basis of all these data, there has been no need for making any assumptions.</p> <p>(e) Whilst maintaining the view that surveys undertaken to date which go well beyond what would normally be considered adequate and are in addition to surveys undertaken by other parties, the Applicant is undertaking surveys of Barbastelle in relation to the Eversden and Wimpole Woods SAC following recommendations from Natural England.</p> <p>(f) The magnitude of impact from any alteration in nutrient status as a result of aerial emissions from the Scheme during both the construction and operational phases was assessed as part of the Air Quality Assessment for all sites designated for their biodiversity value including County Wildlife Sites. The outcome of the appraisal was that there were no impact pathways including from nitrogen emissions from traffic on roads close to any such sites (Appendix Air Quality).</p> <p>(g) A reassessment of Protected Road Verge (PRV) S8, Brockley Road, Elsworth (west side) in July 2021 in the form of a detailed survey confirmed that the southern section of this PRV had been damaged and that the site was in unfavourable condition and declining in line with the most recent assessments undertaken by the Wildlife Trust (2019) which considered the southern section had "been destroyed by roadworks and should be removed from the PRV". The results of these surveys are being used to provide any updates to those data collected in 2018-19 and will be communicated to CCC, SCDC and HDC and the Examination by Deadline 4. The results will help to inform the measures in the Biodiversity Management Plan to avoid any damage to the road verges during construction.</p>



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	<p>(h) The ecology input to the design from the outset enabled the avoidance of any woodlands falling within the Scheme. No woodlands will be lost to the Scheme. The assessment of biodiversity net change undertaken using the Defra Metric 2.0 and the results of this assessment [TR010044/EXAM/9.25] have been submitted to the Examination at Deadline 3, a significant proportion of which is due to woodland creation within the Scheme. The metric factors in the time taken by new woodland to establish and mature. This lends support to the assessment of the magnitude of impact to woodland as being Moderate (beneficial) during the operational phase as set out in paragraph 6.1.3 on page 75 &amp; Table 8-10 within, Chapter 8 Biodiversity [APP-077] of the Environmental Statement.) (APP-077). The Applicant welcomes the advice on species types and mixes for woodland creation. The species mixes were amended based on views received from the landscape architects from both HDC and SCDC. If HDC/SCDC wish to propose further amendments, please include a copy of these in the Statement of Common Ground for formal discussion.</p> <p>(i) The Scheme also provides an east-west spine of biodiversity including hedgerow, woodland and grassland which will contribute to the county's green infrastructure both in terms of strong habitat continuity and area of habitat. m.</p> <p>(j) The Scheme also provides an east-west spine of biodiversity including hedgerow, woodland and grassland which will contribute to the county's green infrastructure both in terms of strong habitat continuity and area of habitat.</p> <p>(k) The ancient veteran tree identified within the Scheme was assessed according to English Nature (2005 - Development of a veteran tree site assessment protocol. Report Number 628) and by an arboriculturist to determine the buffer zone needed around the elm, adhering to best practice standards. The Applicant has ensured that all veteran trees are retained, and adequately protected during construction and operation in line with Natural England's Standing Advice which states: "A buffer zone [root protection area (RPA)] around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter." There is one veteran tree within the Scheme, an elm, and further to a Relevant Representation (RR-111b) from the Woodland Trust, the Applicant has reviewed the RPA buffer zone for T311 on the Tree Protection Plan and can confirm that it is correctly shown as a radius of 22.46m (15 x the stem diameter of the tree).</p> <p>(l) The limitation associated with the survey of arable field margins was stated as part of the survey limitations and this has been taken account of in the Applicant's assessment. Additionally, habitats were re-surveyed in 2021 to keep the biodiversity baseline up to date. These surveys confirmed that there are no arable field margins supporting notable arable weeds that will be lost to the Scheme. The report of these surveys will be made available to CCC/HDC/SCDC and the Examination by Deadline 4.</p>

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	<p>(m) Subsequent to 2016, further surveys have been undertaken to ensure that the baseline for habitats is comprehensive, e.g. filling gaps in Jacobs Phase 1 Habitat survey, up to date and inclusive of small areas of grassland such as road verges and strips of grassland riparian to watercourses. The most recent surveys were in July 2021 undertaken by two ecologists experienced in NVC surveys.</p> <p>These surveys confirmed that there is no unimproved grassland within the footprint of the Scheme. Given the estimate that only 2.6% of Cambridgeshire is considered to support the highest quality semi-natural habitats (Roquette, 2019), the results of these surveys are not surprising in this landscape of intensive arable agriculture.</p> <p>With regards to further ecological surveys, the Applicant can confirm that a suite of surveys covering terrestrial habitats, aquatic habitats and certain species is being undertaken, in addition to carrying out searches for any new records of flora and fauna, to ensure the baseline data relied upon in the biodiversity assessment is kept up to date.</p> <p>(n) As identified above, based on the follow up survey of watercourses and ponds found to be dry in 2018, they were found to be dry in 2021 across a five month period. Therefore, the aquatic habitat surveys undertaken from 2017 to 2019, do provide a sound basis for determining mitigation and enhancement strategy. To this end, the response to ISH3 Action Point 2, provides details of design principles, planting arrangements</p> <p>(o) As identified above, surveys as recommended by Natural England, over and above the considerable survey work undertaken demonstrating no likely significant effect, are being undertaken with respect to Barbastelle and the Eversden and Wimpole Woods SAC. The data with respect to bats (excluding this specific issue) do allow for an assessment of the impact of the Scheme.</p> <p>(p) The creation of habitat as presented in the Environmental Masterplan [APP-091] provides mitigation for habitat loss including those habitats supporting wintering birds including those of county importance. Arable agriculture dominates Cambridgeshire's landscape and there is a need to take opportunities to replace this with other habitats (Cambridgeshire Green Infrastructure Strategy, 2011). Examples include replacing intensive arable with grassland, providing better connectivity to woodlands and copses, many of which are isolated in the arable landscape and the creating habitat which slows the flow of water from intensive arable. Consideration has been given to the zone of influence of the Scheme with respect to wintering birds as outlined in Appendix 8-9 Wintering Birds. Based on the elements we have highlighted; the Applicant considers the assessment of impact with respect to wintering birds to be correct.</p> <p>(q) As for wintering birds, the Scheme provides not only mitigation for breeding birds but significant enhancement in terms of additional habitat, much of which will be used by passerines and making a positive contribution to</p>

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	<p>biodiversity in a landscape that has lost much of its biodiversity in the recent past. The Applicant considers the assessment of impact with respect to breeding birds to be correct.</p> <p>(r) The Applicant has made a submission to NatureSpace to join the Bedfordshire District Level Licence scheme and is preparing a draft European Protected Species mitigation licence for those waterbodies in Cambridgeshire.</p> <p>(s) The assessment of impact to terrestrial invertebrates was based on Natural England guidance and included seven visits between April – October over 2018 and 2019. The Applicant welcomes the advice on the inclusion of dead wood within the detail of the habitat and encourages inclusion of a copy of this advice in the Statement of Common Ground for formal discussion.</p> <p>The Applicant notes the Council's request with respect to any changes made to the project design envelope.</p>
REP1-048bj	<p>8. <b>LANDSCAPE AND ARBORICULTURE</b></p> <p>8.1 The scope of the Landscape and Visual Impact Assessment was agreed with the Councils, and the methodology accords with relevant, and current best practice guidance, including <i>Highways England Design Manual for Roads and Bridges</i>, the <i>Landscape Institute's Guidelines for Landscape and Visual Impact Assessment: Third edition</i> and <i>The Landscape Institute's Visual Representation of Development Proposals – Technical Guidance Note 06/19</i>.</p>
Applicant Comment	The Applicant notes the response from the Cambridgeshire authorities.
REP1-048bk	<p>8.2 It is considered that in places more could be done to help integrate the proposed A428 into the host landscape. There is concern that in places the development boundary (or order limits) lies too close to the road proposed A428 corridor and does not allow for sufficient mitigation to be implemented. This is particularly where there is considerable infrastructure, such as viaducts, bridges and roundabouts, to be integrated into the landscape.</p>
Applicant Comment	The landscape design approach for the Scheme is set out in Annex L of the First Iteration Environmental Management Plan [APP-234] and is summarised in Chapter 7, Landscape and Visual Effects of the Environmental Statement [APP-076]. This sets out the landscape design vision and principles, which have informed the mitigation shown on the Environmental Masterplan [APP-091]. Relevant local authorities have been consulted throughout the design process and have commented on the emerging design. Consideration has been given to this feedback in finalising the landscape mitigation proposals.

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	The landscape design process was iterative and informed by the landscape and visual impact assessment throughout. The landscape mitigation embedded in the Scheme design is substantial and appropriate to the scale of infrastructure proposed and the resulting effects. Care has been taken to reflect the character of the landscape as it changes along the route and to minimize landtake outside of areas required for essential mitigation. Increasing the footprint of the Scheme to accommodate additional planting would not further reduce the effects reported in the Environmental Statement.
REP1-048bl	8.3 The arboricultural plans (Tree Constraints Plan and Tree Protection Plans) ( <b>APP-183 – APP-187</b> ) within the Environmental Statement do not show the location of trees subject to a Tree Preservation Order where they fall within or adjacent to the DCO area. Updated versions of these plans are requested.
Applicant Comment	The Applicant has reissued the Tree Constraints Plan <b>[APP 184-185]</b> 6.3 - Environmental Statement - Appendix 7.5 - Arboricultural Assessment Part 2 and Part 3 to show Tree Preservation Orders (TPOs) and other statutory designations affecting trees at Deadline 3. The Tree Protection Plans <b>[APP-186-187]</b> 6.3 - Environmental Statement - Appendix 7.5 - Arboricultural Assessment Part 4 and Part 5 have also been resubmitted to show TPO and other statutory designations. TPO information is taken from data provided by the relevant local authorities. Refer to the updated plans and document <b>[TR010044/EXAM/9.27]</b> .
REP1-048bm	8.4 In addition, these plans do not propose a sufficient level of protection to nearby trees subject to Tree Preservation Orders. While the proposals show basic tree protection measures, these are not considered to be sufficiently robust given the scale of the nearby works. The Councils request that the Applicant shows all protected trees and tree areas and makes alterations to the proposed tree protection measures in areas of significant activity. This will ensure protected trees are not subject to damage through accidental incursions into the into the root protection areas.
Applicant Comment	<p>The Applicant has presented an appropriate scheme of tree protection fencing which conforms to the default specification from BS5837:2012 Trees in relation to design, demolition and construction - Recommendations (e.g. a braced scaffold framework on driven support poles) as per Plate 1, Annex D within Appendix 7.5 of the Arboricultural Assessment Part 1 <b>[APP-183]</b>.</p> <p>Where TPO trees and other tree features are outside the Order limits no tree protection fencing is shown as this is outwith the Site. Areas of constraint where an exclusion zone would apply but where fencing is inappropriate (either because it is outside the Order limits or set well back from areas of development activity) are shown as an exclusion zone (grey hatch) on the Tree Protection Plan <b>[APP-186-187]</b> –within Appendix 7.5 of the Arboricultural Assessment Part 4 and Part 5).</p>

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	<p>Some trees subject to Tree Preservation Orders (TPO) (included within data provided by the local authorities) no longer exist (e.g. south of tree reference T1223 for example) and so the plans show a TPO position but no detailed survey information as no tree is present in this location.</p> <p>Some areas of the Scheme (e.g. along the existing Cambridge Road) are set well back from areas for the Scheme and in these areas it is considered that no fencing is appropriate as there is no risk of damage or impact. To apply extensive fencing would be disproportionate to what is a very low risk. Where works are proposed in proximity to trees these would be protected with fencing.</p>
REP1-048bn	<p>8.5 Throughout the Scheme construction activity is proposed within the root protection areas of retained trees. These areas are shown hatched in blue on the Tree Protection Plans (<b>APP-186 to APP-187</b>) and have the potential to have damaging, long term impacts. These include areas of excavation, highway realignment and surface reinstatement. The Councils request that the Applicant provides further details of these location specific operations in the form of a site specific Arboricultural Method Statement which sets out how the works and any potential impacts will be undertaken and mitigated against.</p>
Applicant Comment	<p>The Applicant will update the First Iteration Environmental Management Plan (EMP) [<b>APP-234</b>] to include a commitment to produce a site specific Arboricultural Method Statement which will be included in the Second Iteration EMP. This will accord with [<b>APP-183</b>] 6.3 - Environmental Statement - Appendix 7.5 - Arboricultural Assessment Part 1, which sets out that an Arboricultural Method Statement will be developed by the Principal Contractor. This will be submitted at a future deadline.</p>
REP1-048bo	<p>8.6 Areas of concern include the following:</p> <p>8.6.1 <b>Ref: General Arrangement Sheet 3 - HE551495-ACM-LSI-ZN1_SW_Z_ZZ-DR-DC-2653 (APP-011 – 2.4. General Arrangement Plans).</b> This lies within <i>the Local Landscape Character Area 04 – Ouse Valley Lakes</i> as identified by the submitted Landscape and Visual Impact Assessment (figure HE551495-ACM-EGN-GEN-Z-Z-ZZ-GS-GI-0048) (<b>APP-111</b>). The character area is to host several two large infrastructure features: the New River Great Ouse Viaduct and New Barford Road Bridge, resulting in the introduction of new landform that is not characteristic of the low lying valley floor. The assessment identifies that riparian vegetation, willows and clusters of woodland are characteristic of the landscape, creating a “semi-enclosed character” (paragraph 1.3.24). The Councils consider that the introduction of additional vegetation along the River Great Ouse Corridor and areas of land to the north of the proposed A428 and west of the River Great Ouse, could help to screen, filter and soften</p>

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	<p>views of the introduced features to receptors in the north, and reinforce the character of the landscape surrounding the road corridor.</p> <p>8.6.2 <b>Ref: General Arrangement Sheets 8 and 9 - HE551495-ACM-LSI-ZN1_SW_Z_ZZ-DR-DC-2658 and 2659 (APP-011 – 2.4. General Arrangement Plans).</b> The above sheets straddle two Local Landscape Character Areas – <i>LLCA 08: Settled Clayland Vale</i> and <i>LLCA 11: Wintringham and Weald/ Toseland Clay Farmland (APP-111)</i>. The LVIA for the scheme identifies tall hedgerows with frequent trees as a common characteristic of LLCA 08 and LLCA 11, though it is also acknowledged there has been historic field removal to amalgamate fields. The Huntingdonshire Landscape and Townscape Assessment places the area within <i>Landscape Character Area 5: South East Claylands</i>, which also notes these distinctive linear features within the landscape, but also the need to “<i>plant tree and woodland belts along major roads to screen visually intrusive development particularly to the edges of the main settlements</i>” in order to protect and enhance the character of the landscape. The proposals include several larger areas of woodland, particularly to the south of Hen Brook, however there are several locations where additional stretches of woodland and tree planting within already proposed native hedgerows, could help to better integrate the new features into the landscape and help achieve the aims of the Huntingdonshire Landscape Character Assessment. Additional planting would particularly be desired as follows and further expanded in section 8.11 below:</p> <ul style="list-style-type: none"> <li>(a) Frequent tree planting to proposed hedgerows west of the road and south of Wintringham Brook on General Arrangement Sheet 8 (HE551495-ACM-LSI-ZN1_SW_Z_ZZ-DR-DC-2658) (<b>APP-011</b>).</li> <li>(b) Frequent tree planting to the 1km long stretch of proposed native hedgerow east of the road on General Arrangement Sheet 8 (<b>APP-011</b>).</li> <li>(c) Additional woodland planting to the east facing embankment of the earthworks General Arrangement Sheet 8 (<b>APP-011</b>).</li> <li>(d) Frequent tree planting to proposed hedgerows east of the road on General Arrangement Sheet 8 (<b>APP-011</b>).</li> <li>(e) Tree planting to proposed native hedgerow west of the attenuation basin, north of Wintringham Brook Tributary, on General Arrangement Sheet 8 (APP-011).</li> <li>(f) Frequent tree planting to the proposed hedgerows north of the road corridor and roundabouts on General Arrangement Sheet 9 (HE551495-ACM-LSI-ZN1_SW_Z_ZZ-DR-DC-2659) (<b>APP-011</b>). There is a particularly long stretch of hedgerow along this edge, forming the only feature by which the proposed road is</li> </ul>



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	<p>integrated into the host landscape. The tree planting becomes particularly important as we enter LLCA 11 as identified by the LVIA.</p> <p>(g) Frequent tree planting to the proposed hedgerow south of the road corridor on General Arrangement Sheet 9 (<b>APP-011</b>).</p>
Applicant Comment	<p>In response to 8.6.1, substantial areas of planting are proposed between the River Great Ouse and the realigned Barford Road and to the east of the realigned Barford Road to assist with integrating the Scheme into the landscape. This planting has been designed to integrate with existing vegetation along the river to reinforce the green infrastructure network and reflect the prevailing landscape character. The alignment and the profile of earthworks have also been designed to work with the natural landform to limit the impact of structures on the landscape and in views. Additional planting cannot be accommodated to the west of the River Great Ouse as this would impede the floodplain function. Regarding views from the north, the landscape and visual impact assessment set out in Chapter 7, Landscape and Visual Effects of the Environmental Statement <b>[APP-076]</b> indicates that the proposed mitigation will be effective in reducing most effects to not significant. Residents of two properties would continue to experience significant adverse effects in year 15 of operation due to their close proximity to Scheme, dual aspect and extent of views. Additional planting would not further mitigate these effects.</p> <p>In response to 8.6.2, substantial areas of tree and shrub planting, including woodland and hedgerows are already embedded in the Scheme design, reflecting the prevailing character of the landscape. Additional planting would not further reduce the effects reported in the Environmental Statement <b>[APP-076]</b>.</p> <p>(a) This part of the landscape is more open than other parts of LLCA 08 with large fields and gappy hedgerows. The Scheme varies between slight embankment and cutting, crossing the gently undulating landscape. Substantial blocks of woodland are proposed to integrate Wintringham Brook, connected by hedgerows and grassland interspersed with frequent groups of individual trees. General Arrangement Sheet 8 <b>[APP-011]</b>.</p> <p>(b) The route is predominantly in cutting and views from the east are limited to short sections of public rights of way. The hedgerow proposed is appropriate mitigation. General Arrangement Sheet 8 <b>[APP-011]</b>.</p> <p>(c) Woodland planting is proposed along Wintringham Brook, east and west of the Scheme. Additional woodland planting to the narrow, east facing embankment of the earthworks is not necessary. General Arrangement Sheet 8 <b>[APP-011]</b>.</p> <p>(d) Appears to duplicate point (b) above. General Arrangement Sheet 8 <b>[APP-011]</b>.</p>



Reference Number	Written Representation/Applicant Comment
	<p>(e) The proximity to the adjacent watercourse and overhead powerlines negates the possibility of including trees within this hedgerow. Planting is proposed to the north, adjacent to the existing A428 to strengthen screening for residents of properties in Wintringham and Tithe Farm. General Arrangement Sheet 8 <b>[APP-011]</b>.</p> <p>(f) The Cambridge Road junction, including the west bound off slip, is within a cutting. The landscape east of the junction, north of the road is sparsely settled and characterized by large fields with either no field boundaries or gappy hedgerows. It also lies in close proximity to overhead powerlines and watercourses, restricting opportunities for tree planting. The hedgerow proposed will connect existing field boundaries, integrating the Scheme into the host landscape. General Arrangement Sheet 9 <b>[APP-011]</b>.</p> <p>(g) The road is in cutting in this section, providing visual screening to properties to the south. The proposed hedgerow is characteristic of the receiving landscape and will connect existing field boundaries. General Arrangement Sheet 9 <b>[APP-011]</b>.</p>
REP1-048bp	<p>8.7 Note should be taken of the comments regarding species when putting together the species selections for these hedgerows. The Applicant's commitment to timing of planting, and maintenance regime needs to be clarified. Timing will dramatically affect success of planting depending on the type of plant used (Bare root vs Container grown). It is not expected that the Applicant will be able to water plants/trees during the first growing season so the standard Oct-Mar planting time may be too liberal. It is recommended that planting is completed in late autumn/early winter to allow a full winter period to establish roots. If planted too late in the spring, such as the last week of March, the plants will be heading out of their dormant period and looking to grow above ground as well as below ground and require more regular water.</p>
Applicant Comment	<p>Outline species selections for hedgerows were shared with the Councils prior to submission of the Application and updated in line with comments received at that time.</p> <p>As set out in Annex L of the First Iteration Environmental Management Plan <b>[APP-234]</b>, planting will take place in the first available planting season and at a time of the year appropriate to the species being planted. Paragraph 4.2.5 (a) also establishes the principle that watering of new plants will be carried out to minimise failures in periods of drought. Best practice indicates that the planting period for bare root plants is generally November to March inclusive. The Applicant will prioritise planting in late autumn/early winter, but requires flexibility to maximise opportunities to plant early in the programme and minimize risks associated with the adverse weather and the supply of plants. As set out in 4.2.5 (f) any dead, damaged or diseased plants will be replaced with matching species of the same size during the next planting season after failure.</p>

Reference Number	Written Representation/Applicant Comment
REP1-048bq	<p>8.8 In addition to the above comments, the Councils make the following submissions in relation to the draft DCO (<b>APP-025</b>):</p> <p>8.8.1 <b>Articles 45 (felling and lopping of trees and removal of hedgerows) and 46 (trees subject to tree preservation orders)</b> – Broadly, article 45 allows the Applicant to fell or lop trees and remove hedgerows within the Order limits. Article 46 sets out the applicable procedure where trees are subject to tree preservation orders. The interaction between articles 45 and 46 is not clear and the Councils request that article 45 excludes trees subject to tree preservation orders.</p> <p>8.8.2 <b>Article 45(2) (felling and lopping of trees and removal of hedgerows) and 46(2) (trees subject to tree preservation orders)</b> – The Councils request that articles 45(2) and 46(2) include an obligation on the Applicant to have regard to the recommendations of the relevant British Standard (BS 3998:2010 Tree Works – Recommendations) and any advice from the local planning authority in carrying out felling or lopping.</p> <p>8.8.3 <b>Article 45(4) (felling and lopping of trees and removal of hedgerows)</b> – Article 45(4) permits the Applicant to remove a) any hedgerows that are set out in Part 1 of Schedule 8; and b) any other hedgerow within the Order limits. The Councils consider that subparagraph b) may give rise to unconsidered vegetation loss and should only be carried out with the approval of the local planning authority.</p>
Applicant Comment	<p>8.8.1 The Applicant notes the point made by the Cambridgeshire authorities and will consider making that distinction between the two Articles and any amendments to Article 45 will be set out in the updated dDCO <b>[REP1-003]</b> to be provided at Deadline 4.</p> <p>8.8.2 While the Applicant does not object to having regard to the British Standard as suggested or having regard to advice from the local planning authority, the Applicant is considering further the most appropriate mechanism to secure this within the control documents and does not accept that a change to Article 45 of the dDCO <b>[REP1-003]</b> is necessary in this regard.</p> <p>8.8.3 All known hedgerows within the Order Limits have been identified by the Applicant and the purpose of Article 45(4)(b) of the dDCO <b>[REP1-003]</b> is to allow for that small possibility that there may be a hedgerow/s that has not been captured and as such the risk of significant vegetation loss is under this power is limited. As such, the Applicant does not think it is necessary to include any approval power of the local planning authority in this instance, however the Applicant will consider this further in the context of the Scheme and if any amendments are</p>

Reference Number	Written Representation/Applicant Comment
	required to be made to the dDCO <b>[REP1-003]</b> these will be captured in the updated dDCO to be submitted at Deadline 4.
REP1-048br	8.9 Hedgerows are not considered in the application.
Applicant Comment	Refer to the response to RR-013m, RR-048m and RR-100m <b>[REP1-021]</b> within the Applicant's Response to the Relevant Representations, submitted at Deadline 1.
REP1-048bs	<p>8.10 Changes to some planting mixes and species may be necessary. Plant mixes should reflect the Landscape Character of the areas into which they are being placed as well as the biodiversity considerations noted in section 7.1.3 above and responding well to climate change. Many of the standard mixes used by the Applicant are identified in a standardised specification, LD117. Generally, the specification is not necessarily incorrect, but simply does not allow for enough flexibility for a rapidly changing climate. The points below, derived from the HE551495-ACM-ELS-GEN_Z_Z_ZZ-RP-LE-0001 – Outline Landscape and Ecology Management Plan (OLEMP) (<b>APP-234</b>), outline our primary concerns and recommendations within the current specification limitations:</p> <p>8.10.1 Grasses</p> <p>(a) Species rich grassland is only proposed in limited areas mainly to the east of the scheme. Species-rich grassland should be the dominant grassland where access is available for mowing. Amenity grass should be used only for verges, sight lines etc.</p> <p>8.10.2 Trees and Mixes</p> <p>(a) The Scheme should reduce reliance on birch in the wooded mixes (see section 4.6 of the OLEMP) (<b>APP-234</b>). This is to reflect the fact that birch struggles to survive in the increasingly hot and dry summers being currently experienced. Climate change resilience is sought. Silver birch should not be replaced with alternative birch species such as Downy birch.</p> <p>(b) At LE2.1, the Applicant should reduce Silver Birch to 5% and increase the quantum of Field Maple, Bird Cherry and Oak to compensate</p> <p>(c) At LE2.2, the Applicant should reduce Silver Birch to 5% and add Hazel (<i>Corylus colurna</i>) at 10% to compensate</p>

Reference Number	Written Representation/Applicant Comment
	<p>(d) At LE2.4, the Applicant should reduce Silver Birch to 5% and increase the quantum of <i>Prunus spinosa</i> to compensate</p> <p>(e) At Table 8 (Shrubs and intermittent trees), a higher % of shrubs and more species are needed. The trees make up 60% of the mix and the proposals contain only 3 shrub species.</p> <p>(f) At Table 11 (Individual trees), 30% is too high a proportion for beech unless for a specific feature such as a hilltop beech hangar. The Councils suggest this is amended to 5%. There should also be a lower percentage of beech present in the tree mixes. Beech is not typical of the area in general woodland mixes and is also struggling with the climate.</p> <p>(g) Away from the road and or belts of trees, individual trees and trees near water features <i>Salix Alba</i> and/or <i>Salix fragilis</i> should be added as features. These are typical lowland trees in the area. In these areas the Councils suggest 15% of the tree mix is made up of large Willows.</p> <p>(h) In relation to the Indicative Scrub Mix LE2.8, <i>Ulex europaeus</i> should be removed from the mix. This is not characteristic of the area and will increase fire risks during hot and dry summers. The Applicant should consider a proportion of <i>Crataegus monogyna</i> as a replacement or increase the remaining plants accordingly.</p> <p>(i) Different mixes (especially woodland and larger trees) may be needed for engineered embankments when compared with planting in comparatively flat and undisturbed ground.</p> <p>(j) All plants apart from standard trees are proposed to be supplied as Bare Root whips. On the A14 scheme all plants were container grown. This is unusual but the Applicant for that scheme believed that this gave a much higher rate of success. It is unclear if container grown plants be used on this scheme. The Councils request that this is clarified by the Applicant.</p> <p>8.10.3 Wetlands</p> <p>(a) <i>Typha latifolia</i> should be removed from the planting mix entirely. It will populate on its own and needs no help.</p> <p>(b) At paragraph 4.2.20-4.2.21 of the OLEMP (APP-234), wherever possible the wetland and bankside species should contain a wide range of aquatic and marginal plants typical to local wetland. The species list should be based on non-invasive plants that can be controlled. At paragraph 4.2.39, the Applicant is requested to clarify the need and meaning of "making wetlands invisible to birds from the air". Large water bodies are</p>

Reference Number	Written Representation/Applicant Comment
	proposed for this scheme and it is in the Ouse valley. The Councils consider that appropriate wetland and water body planting should be specifically designed to encourage water fowl.
Applicant Comment	<p>These comments appear to relate to a previous version of the Outline Landscape and Ecology Management Plan (OLEMP), previously issued to the Councils. These comments have been addressed in Annex L of the First Iteration Environmental Management Plan <b>[APP-234]</b> submitted with the Application. For example, <i>Ulex europaeus</i> referred to above under 8.10.2 (h) is not included in the indicative species mixes.</p> <p>8.10 Outline species selections were shared with the Councils prior to submission of the Application and updated in line with comments received at that time. Highways England LD117 does not include species mixes, it includes a typology for broad landscape element types, which are referred to in the First Iteration Environmental Management Plan <b>[APP-234]</b> and are illustrated on the Environmental Masterplan <b>[APP-091]</b>. Plant mixes reflect the Landscape Character of the areas into which they are being placed as well as the biodiversity considerations. Furthermore, these have been selected to provide flexibility for a rapidly changing climate, including with regard to plant provenance, as set out in paragraph 1.10.13 of Annex L of the First Iteration Environmental Management Plan <b>[APP-234]</b>.</p> <p>8.10.1 Grassland</p> <p>(a) The majority of grassland proposed along the Scheme is either species rich grassland (LE 1.3) or open grassland (LE 1.6). The principal difference between these typologies is the accessibility of areas for maintenance, particularly for mowing and the removal of arisings. LE 1.1 amenity grassland is only proposed on verges and visibility splays.</p> <p>8.10.2 Trees and Mixes – these comments appear to relate to a previous version of the Outline Landscape and Ecology Management Plan (OLEMP), previously issued to the Councils. These comments have been addressed in Annex L of the First Iteration Environmental Management Plan <b>[APP-234]</b> submitted with the application.</p> <p>8.10.2 (j) – As set out in Annex L of the First Iteration Environmental Management Plan <b>[APP-234]</b>, the majority of species are proposed to be provided a bare root seedlings or transplants in line with forestry best practice principles. A small number of evergreen species will be provided as container grown stock as they are not suited to bare root production.</p> <p>8.10.3 Wetlands</p>

Reference Number	Written Representation/Applicant Comment
	<p>(a) Typha latifolia was removed from the specification of wetland species before submission of the Application and is not included in Annex L of the First Iteration Environmental Management Plan <b>[APP-234]</b>.</p> <p>(b) The paragraphs referred to do not exist in Annex L of the First Iteration Environmental Management Plan <b>[APP-234]</b>. There will be opportunities for the Councils to comment on the species selection for wetland at the detailed design stage and this information will be captured in the Second Iteration Environmental Management Plan.</p>
REP1-048bt	8.11 Limited connections are provided between some habitats (specifically near Hen Brook) and should be improved.
Applicant Comment	Habitat creation within the Scheme either side of Hen Brook on the north and south sides of the Scheme creates a strong east-west connection for a wide range of species (First Iteration Environmental Management Plan <b>[APP-234]</b> ). Habitat creation riparian to the Hen Brook (First Iteration Environmental Management Plan <b>[APP-234]</b> ) affords good opportunities for landowners riparian to the watercourse to link into this habitat and to benefit from ecological enhancement.
REP1-048bu	8.12 The borrow pit remediation should be reconsidered from a landscape perspective. The use of borrow pits is accepted from a landscape perspective but in most cases, the land is being reinstated as landscape or agricultural land. In order to function well in either capacity, the soil structure must not be overly compacted. An engineering-led approach to reinstatement therefore is unlikely to provide the correct soil structure for planting. The DEFRA Code of Practice for the Sustainable Use of Soils on Construction Sites should be quoted within the Methodology which emerges in more detailed design work or an equal specification which outlines the method for reinstating sub and topsoils without excessive compaction and how to repair overly compacted soils.
Applicant Comment	<p>In relation to borrow pit restoration, the Applicant refers the Cambridgeshire Authorities to its responses to RR-013f, RR-048f and RR-100f within the Applicant's Response to Relevant Representations <b>[REP1-021]</b>.</p> <p>The Applicant can confirm that paragraph 1.3.2 of Annex E Soil Handling and Management Plan within the First Iteration Environmental Management Plan <b>[APP-234]</b> states that topsoil management will adhere to the Defra Code of Practice for the Sustainable Use of Soils on Construction Sites. This includes approaches and techniques for the stripping, stockpiling, re-spreading and ameliorating soils.</p>
REP1-048bv	<p>9. <b>NOISE</b></p> <p>9.1 The following commitments are required:</p>

Reference Number	Written Representation/Applicant Comment			
	Commitment	Why it is required	How it should be secured	
	<p>Commitment to the following construction weekday working hours:</p> <p>Mon to Fri 08:00 to 18:00</p> <p>Sat 08:00 to 13:00 hrs Excluding Sunday &amp; bank holidays.</p> <p>Works outside of Core Hours will only be permitted for either health and safety reasons – i.e. where it is not safe to undertake the works during Core Hours, or if the works in question necessitate road closures (which are unlikely to be granted during Core Hours).</p> <p>Works outside of Core Hours will only be undertaken with the written consent of the relevant local planning authority, other than emergency works undertaken for safety reasons.</p>	<p>The impacts of noise from construction works can be intrusive and affect people's health and wellbeing if experienced over an extended period. Limiting construction hours can give affected residents a certain amount of respite.</p> <p>The list of exceptions for works that can be undertaken outside of core hours is too wide. The majority of the Scheme could be completed outside of core hours allowing these exceptions. Only emergency works or H&amp;S critical works should be permitted.</p>	<p>Requirement 19 of the draft DCO should be amended as set out in the Commitment column.</p> <p>The Councils agree with the Applicant that the details are to be contained in an approved construction management plan (1st Iteration then developed into Outline and Final Noise Management Plan with increasing detail to be provided). Secured by a DCO requirement to produce such a plan and all works to be carried out in accordance with it. E.g. As per A14 requirement a DCO requirement to the effect of:</p> <p>(1) The authorised development must be carried out in accordance with the provisions of the (...name of management plan agreed.....).</p> <p>(2) The undertaker must make the local environmental management plans produced in accordance with the (...name of management plan agreed.....) available in an electronic form suitable for</p>	



Reference Number	Written Representation/Applicant Comment			
			<p>inspection by members of the public.</p> <p>Core working hours, noise and vibration limits, plant/machinery/ equipment type, stakeholder communications and complaint procedures must be agreed and committed in law via a Control of Pollution Act 1974 Section 61 Notice and any deviation from this must be notified to the Environmental Protection Officer at an agreed number of days prior to the deviating event taking place.</p>	
	<p>Commitment to continuous noise monitoring (during construction) at fixed locations, representative of receptors at Potten Road (e.g. Rectory Farm Cottage and/or Parkers Farmhouse, Wintringham Park (e.g. Cole Walk), Wintringham Village (e.g. Wintringham Cottages), Cambourne West (eg Oak Tree Cottage) and Eltisley, or where justifiable complaints have been received.</p>	<p>This will be required in order to confirm compliance with agreed/required noise and vibration levels/standards for construction including BS5228. Similarly, vibration monitoring may need to be employed in the event of complaints being received.</p>	<p>As above</p>	

Reference Number	Written Representation/Applicant Comment			
	Commitment to comply with agreed noise limits at agreed noise sensitive receptors during construction works.	As above	This commitment is required to be added to the First Iteration EMP.	
	Commitment to noise monitoring after the scheme is completed and is operational.	In addition to overall Scheme predictions, the effectiveness of mitigation installed in respect of operational noise impacts needs to be tested to ensure it performs as expected in the real world, as opposed to just predicted performance.  Additional mitigation may be required if found lacking.	Secured by the Third Iteration EMP.	
	Commitment to provide clear and concise information to keep officers informed as the Scheme's construction progresses. Thus allowing a collaborative approach, which can be secured by following a procedure aligned to the Control of Pollution Act 1974, Section 61 process.	The locations applicable within the Councils coverage are predominantly rural in nature. Background levels are relatively low, particularly at night. If roads are closed background levels will be even lower and intrusive construction noise will need to be adequately attenuated.	The requirement to be contained in the approved noise management plan (1st Iteration then developed into Outline and Final Noise Management Plan) requiring a Control of Pollution Act 1974, Section 61 application and consent process to be followed	
	Commitment to provide detailed local construction management plans (as required) for specific areas in proximity to sensitive	Required by DMRB (REF 11-1) and to confirm BPM and compliance with industry best practice. Also needed to protect areas with differing environmental characteristics with regard to	Details to be contained in the approved construction management plan (1st Iteration then developed into Outline and Final Noise Management Plan with increasing detail to be provided).	

Reference Number	Written Representation/Applicant Comment			
	receptors ie existing residential properties	ambient noise levels and types of property.	Secured by a DCO requirement to produce such a plan and all works to be carried out in accordance with it.	
	Commitment to providing offsite noise barriers for noise sensitive residential properties such as those close to the Scheme at Potton Road (Parkers Farmhouse (R20) and Rectory Farm Cottage (R21) and Greyholme (R25) and Tithe Farm on Cambridge Road.	Wintringham Cottages (located to the north of the existing A428, close to the Cambridge Road junction) would particularly benefit from this because their back garden directly adjoins the Scheme. The Councils question the Applicant's statement that a roadside noise barrier would not be effective because Wintringham Cottages are too far from the scheme. It may be possible to replace a garden fence with an acoustic fence.	Details to be contained in the approved construction management plan (1st Iteration then developed into Outline and Final Noise Management Plan with increasing detail to be provided). Secured by a DCO requirement to produce such a plan and all works to be carried out in accordance with it.	
	Commitment is required for the provision of a detailed and comprehensive noise insulation/rehousing policy to be provided, clearly defining which residential properties are predicted to experience noise levels above those trigger levels in BS5228 and the level of mitigation required. These mitigation measures are required prior to the commencement of works.	The impacts on residential properties can be significant if not adequately controlled and there should be fairness and equity as to the availability of noise mitigation measures.	Details to be contained in the approved construction management plan (1st Iteration then developed into Outline and Final Noise Management Plan with increasing detail to be provided). Secured by a DCO requirement to produce such a plan and all works to be carried out in accordance with it.	

Reference Number	Written Representation/Applicant Comment			
	Commitment is required for construction works that are predicted to generate significant noise levels not to start in the areas identified in the insulation/rehousing policy above, until the affected properties are either insulated or residents relocated.	This should be completed as early as possible to allow the timely roll-out of any mitigation required before construction commences near affected premises.	Details to be contained in the approved construction management plan (1st Iteration then developed into Outline and Final Noise Management Plan with increasing detail to be provided). Secured by a DCO requirement to produce such a plan and all works to be carried out in accordance with it.	
	Environmental Protection Officer regulatory effort will typically be five days per month during construction, mainly relating to S61 administration, but can be considerably more if complaints are handled.	Responding to requests for S61 deviations and complaints.	Assessment of deviation request and written approval/ rejection provided by Environmental Protection Officer. Ensure complaints are handled effectively and the correct action taken	
Applicant Comment	<p>Working Hours:</p> <p>The Applicant is not willing to change the core working hours as set out in Chapter 2, The Scheme <b>[APP-071]</b> of the Environmental Statement, as these time periods are required in order to deliver the Scheme within the overall construction programme. A consequence of a change to the core working hours would be an extension to the construction programme. However, the Applicant is willing to engage in discussions with the local authorities so that agreements can be sought when working close to sensitive locations, such as residential properties, or where there are specific activities, such as during school exams, where noise from construction could potentially be minimised. Where appropriate, discussions will be held with local authorities on these matters during the detailed design stage where mitigation can be discussed in more detail.</p> <p>Continuous noise monitoring during construction:</p> <p>As stated paragraph 1.4.12 of Annex B of the First Iteration Environmental Management Plan <b>[APP-234]</b>, the Applicant will undertake noise measurement surveys during construction, as required. The exact timing, locations and frequency of</p>			

Reference Number	Written Representation/Applicant Comment
	<p>monitoring will be based on the outcome of the updated construction noise assessment which will be undertaken at detailed design stage. At this stage, exact details of the works in terms of the location, extent and timing and the number and type of plant to be used, will be much more certain. In addition, the updated construction noise assessment at the detailed design stage will include the outcome of the process to apply Best Practicable Means (BPM) and where localised noise barriers would be appropriate. The details of the proposed monitoring during construction will be included in the Noise and Vibration Management Plan (NVMP), which will be produced at the detailed design stage in consultation with the Local Authorities, in accordance with Requirement 3 of the dDCO <b>[REP1-003]</b>, and must be approved by the Secretary of State before works can begin. The Noise and Vibration Management Plan is not a static document and will be updated and revised as necessary.</p> <p>Construction noise and vibration limits:</p> <p>There are pros and cons to setting noise and vibration limits for construction. Limits can unintentionally become a 'licence' to generate noise and vibration up to the limit, taking the emphasis away from minimising noise and vibration. Limits can provide some certainty to all parties, however, they can limit the flexibility available to a contractor. For example, concentrating the works into a considerably shorter duration, but generating higher noise levels, may in some circumstances actually be perceived by the public as a better outcome, for example with regard to works that have to be completed at night. On this basis the approach to construction mitigation is focused on the application of Best Practicable Means (BPM) from all construction activities, rather than on meeting specific limits at selected locations. Although it should be noted that the Noise and Vibration Management Plan will include construction noise criteria based on the noise insulation and temporary rehousing trigger levels as set out in BS 5228 Part 1, which will be applicable to all residential properties. This is set out in paragraph 1.4.4 of Annex B of the First Iteration Environmental Management Plan <b>[APP-234]</b>.</p> <p>Noise monitoring once Scheme is operational:</p> <p>As set out in Chapter 11, Noise and Vibration of the Environmental Statement <b>[APP-080]</b> Section 11.10 the performance specification of specific operational mitigation measures would be confirmed at the detailed design stage to ensure the performance assumed in the assessment is achieved. Surveys would be undertaken to ensure that measures, such as low noise surfacing materials, were installed as required. Compliance with the requirements of the Noise Insulation Regulations will ensure a further assessment of operational road traffic noise changes will be completed within the statutory timescales of the Regulations i.e. the first six months of opening.</p> <p>As set out in Section 4.2 of the Design Manual for Roads and Bridges (DMRB) LA 1111 the Applicant does not consider that routine operational noise monitoring is necessary because it cannot provide a reliable gauge for whether the predicted magnitude and extent of operational adverse impacts are greater or less than noise predicted in the Environmental</p>

Reference Number	Written Representation/Applicant Comment
	<p>Statement. Ambient noise levels are not constant, they vary on a day to day basis depending on factors such as traffic and weather conditions. The assessment completed in the Environmental Statement is based on annual average conditions with and without the Scheme to ensure a like for like comparison, which is not possible to replicate through monitoring within a reasonable timescale. The without Scheme monitoring would need to be completed before the start of the construction works, and would therefore be a number of years before the with Scheme monitoring.</p> <p>The assessment completed for the Environmental Statement set out in Chapter 11 Noise and Vibration <b>[APP-080]</b> is based on calculated road traffic noise levels, whereas ambient noise monitoring can be affected by other noise sources such as people, agricultural activities, aircraft etc. LA 1111 and NPSNN require that road traffic noise is calculated using the Calculation of Road Traffic Noise (CRTN) and this prediction methodology was used for Chapter 11 Noise and Vibration <b>[APP-080]</b> of the Environmental Statement. The CRTN methodology was comprehensively verified on first publication using data from other 2000 monitoring positions and has been used successfully on a large number of road schemes since its publication, many of which include a comparison of predicted road traffic noise levels against the results of a baseline noise survey to demonstrate the noise modelling process is producing reasonable results. More recent research has also demonstrated a good correlation of CRTN predicted traffic noise levels against field measurements beyond the originally defined 300m. It is not considered that further demonstrating the validity of the prescribed UK road traffic noise prediction methodology falls within the remit of the Noise and Vibration assessment for the Scheme or the DCO process.</p> <p>Provision of information to officers during construction phase:</p> <p>The Applicant welcomes a collaborative approach with the Local Authorities with regard to noise mitigation during the construction works. Annex B of the First Iteration Environmental Management Plan <b>[APP-234]</b> includes a commitment in paragraph 1.3.1 that the EHO will be informed of any work that is likely to require communication with members of the public, and that data will be recorded, reviewed and provided to the EHO. A Community Relations Manager will be appointed by the contractor who will be responsible for communications with the public, stakeholders (such as Local Authorities) and other interested parties, as set out in Table 2-1 of the First Iteration Environmental Management Plan <b>[APP-234]</b>. Table 4-1 of the First Iteration Environmental Management Plan <b>[APP-234]</b> identifies that an application for a Section 61 consent will be made directly between the contractor and the local authority should it be considered necessary during the construction phase. The Applicant would welcome discussion with the local authorities on when carrying out the Section 61 process may be appropriate.</p> <p>Local construction management plans:</p>

Reference Number	Written Representation/Applicant Comment
	<p>The proposed approach to management plans during construction is on a topic by topic basis rather than by location. The noise and vibration management plan will include both Scheme wide and location specific mitigation measures as required. Location specific mitigation measures will consider any particular characteristics of specific receptors/locations. The requirement to produce topic specific management plans is secured by requirement G1 in the First Iteration Environmental Management Plan <b>[APP-234]</b> Table 3-2.</p> <p>Offsite noise barriers:</p> <p>The Applicant met with representatives from South Cambridgeshire District and Huntingdonshire District Councils on 15th July 2021 to discuss the operational traffic noise impacts predicted for the Scheme in their areas. This involved onscreen demonstration of the noise model used to predict the impacts and the noise barrier mitigation considered but not proposed to be included in the Scheme. The discussion focused on the change in traffic noise levels and the large extent of barriers required to achieve even a minor reduction in traffic noise at a small number of properties.</p> <p>As required by the NPSE, NPSNN and National Highways noise assessment guidance LA 111, noise mitigation measures cannot be considered in isolation and a range of factors need to be considered. Paragraph 11.3.69 of Chapter 11, Noise and Vibration of the Environmental Statement <b>[APP-080]</b> summarises the factors which we have been considered when identifying sustainable noise mitigation measures to be included in the Scheme. Such factors include cost versus benefit, engineering practicality, generation of non-acoustic impacts (such as visual impact) and consultation and stakeholder engagement responses.</p> <p>A number of noise mitigation measures have been embedded into the Scheme and these are summarised in paragraphs 11.8.9-11.8.12 of <b>APP-080</b>. This includes a number of sections of the route being below existing ground level (i.e. in cutting) which would screen traffic and reduce noise impacts in the vicinity. These include in the vicinity of the B1046 overbridge, Cambridge Road junction, east of Toseland Road bridge and through Eltisley junction. Noise bunding has also been embedded within the Scheme as it passes close to the intersection with Potton Road. In addition, the Scheme would also be constructed with low noise surfacing materials along its length.</p> <p>The Applicant has considered additional noise mitigation in the form of noise barriers at a number of locations either to reduce the magnitude of predicted traffic noise increases due to the Scheme. However, the potential noise barriers described in Chapter 11 Noise and Vibration of the Environmental Statement <b>[APP-080]</b> have not been included in the Scheme as they were not identified to be sustainable noise mitigation measures when the factors set out above were considered.</p> <p>Operational noise impacts and potential mitigation at the five identified locations are described below:</p>



Reference Number	Written Representation/Applicant Comment
	<p><b>Parkers Farmhouse:</b> This property is predicted to experience moderate and major increases on its north and east facades of between 4 and 7dB in the daytime in the opening year with the Scheme in place. This includes the embedded mitigation of the cutting, noise bunding and low noise surfacing materials. An additional 1m barrier on top of the bund has a negligible effect on reducing traffic noise levels (additional reduction of around 0.3dB). Also, the traffic noise levels at these facades with the Scheme in place will remain low, below the daytime LOAEL even with these predicted increases (41-44 <math>L_{A10,18h}</math> dB day without Scheme and 46-52 <math>L_{A10,18h}</math> dB day with Scheme). Based on the low absolute noise levels and the very limited benefit of the additional mitigation, a noise barrier in this location is not considered to be a sustainable noise mitigation measure and hence has not been included in the Scheme design.</p> <p><b>Rectory Farm Cottage:</b> The same issues apply as with Parkers Farmhouse described above, as it is on the opposite side of carriageway. This property is predicted to experience moderate and major increases on its south facing facades of between 3 and 11dB in the daytime in the opening year with the Scheme in place. This is including the embedded mitigation of the cutting, noise bunding and low noise surfacing materials. An additional 1m barrier on top of the bund has a negligible effect on reducing traffic noise levels (additional reduction of around 0.2dB). Also, the traffic noise levels at these facades with the Scheme in place will remain low, below the daytime LOAEL, even with these predicted increases (47-53 <math>L_{A10,18h}</math> dB day without Scheme and 54-56 <math>L_{A10,18h}</math> dB day with Scheme). Based on the low absolute noise levels and the very limited benefit of the additional mitigation, a noise barrier in this location is not considered to be a sustainable noise mitigation measure and hence has not been included in the Scheme design.</p> <p><b>Greyholme:</b> This property is not predicted to experience a significant adverse effect due to the Scheme. This property is predicted to experience negligible decreases on all but two of its facades (the others are predicted to experience no change or negligible increase). The traffic noise levels at these facades are below the SOAEL (54-64 <math>L_{A10,18h}</math> dB day) without Scheme and remain at these levels with the Scheme. On this basis, a noise barrier is not proposed in this location.</p> <p><b>Tithe Farm:</b> This property is predicted to experience moderate and major increases on its north and east facades of between 3 and 5B in the daytime in the opening year with the Scheme in place. This property is predicted to experience an increase on these façades due to the new dual carriageway to the east of the Cambridge Road junction moving traffic close to these facades, whereas the existing A428 is located further to the south. The installation of a noise barrier alongside the new dual carriageway to avoid this significant effect has been considered. However, a noise barrier will not be effective at reducing road traffic noise at this property due to its distance from the new dual carriageway which is approximately 300m away at its closest approach. However, the traffic noise levels at these facades with the Scheme in place will remain low, below the daytime LOAEL, even with these predicted increases (41-43 <math>L_{A10,18h}</math> dB day without Scheme and 44-48 <math>L_{A10,18h}</math> dB day with Scheme). Based on the low absolute noise levels and the ineffectiveness of a noise</p>

Reference Number	Written Representation/Applicant Comment
	<p>barrier in this location, a noise barrier is not considered to be a sustainable noise mitigation measure and hence has not been included in the Scheme design.</p> <p><b>Wintringham Cottages:</b> There are four cottages, all of which are predicted to experience a decrease on their front facades due to the removal of traffic from Cambridge Road with the Scheme in place. These levels, which are predicted to reduce from above to below SOAEL during the day, reduce by around 14dB at 1 and 2 Wintringham Cottages. The reductions on the front facades at 3 and 4 Wintringham Cottages are predicted to be slightly less at between 6 and 8 dB. However, all four properties are predicted to experience an increase on the rear façade due to the new dual carriageway introducing a traffic noise source to this façade. At 1 and 2 Wintringham Cottages, the predicted increases are approximately 9dB, with the Scheme being approximately 50m from these cottages at their closest point, this being the A428 westbound offslip. The traffic noise levels on these facades increase from below to above LOAEL in the day (53 <math>L_{A10,18h}</math> dB daytime without Scheme and 62 <math>L_{A10,18h}</math> dB with Scheme). At 3 and 4 Wintringham Cottages, the predicted increases are approximately 3dB, with the Scheme being approximately 250m from these cottages at their closest point. The traffic noise levels on these facades increase from below LOAEL to above LOAEL during the daytime (54 <math>L_{A10,18h}</math> dB without the Scheme and 57 <math>L_{A10,18h}</math> dB with the Scheme). A noise barrier would provide some noise reduction at the closest properties to the scheme – 1-2 Wintringham Cottages - but will not be effective at reducing noise levels at the properties further away - 3-4 Wintringham Cottages. However, based on the length of noise barrier required, the very small number of properties that would benefit and potential issues with accessing the barrier to maintain it, a noise barrier in this location is not considered to be a sustainable noise mitigation measure and hence has not been included in the Scheme design.</p> <p>Noise Insulation and Temporary Rehousing policy:</p> <p>Annex B of the First Iteration Environmental Management Plan [APP-234] states that if construction noise levels exceed the relevant trigger levels (as defined in BS 5228-1) the contractor may offer noise insulation and temporary rehousing. Determining which properties will qualify is not possible at this stage before the construction works and construction programme are finalised. Therefore, properties will be identified at the detailed design stage and an offer of insulation/re-housing made to the relevant properties. Insulation measures will be in place before the relevant works are undertaken.</p> <p>Section 61 administration:</p> <p>As stated in paragraph 2.6.245 of Chapter 2, The Scheme of the Environmental Statement [APP-071] any work required to be undertaken outside of core hours (not including repairs or maintenance) would be agreed with the relevant local authority prior to undertaking the works under Section 61 of the Control of Pollution Act 1974, subject to the exemptions listed in Requirement 19 of the dDCO [REP1-003]. As detailed in clause ESS-NV1 and Annex B of the First Iteration</p>

Reference Number	Written Representation/Applicant Comment
	Environmental Management Plan <b>[APP-234]</b> the Noise and Vibration Management Plan will set out the process for implementing any corrective actions that may be required, and the complaints procedure to be adopted during the works.
REP1-048bw	9.2 The Councils note that the noise assessment does not consider the impacts of the Scheme on the future residents of Cambourne West, as they are not currently insitu and so will not experience a “difference” between the current baseline modelled noise levels and those in the future once the road is open. Therefore, we request that the assessment is updated to include predictions of noise levels that are likely to be experienced by these future receptors of Cambourne West, once the Scheme is in operation.
Applicant Comment	<p>Refer to the response to RR-013r, RR-048r and RR-100r <b>[REP1-021]</b> within the Applicant's Response to the Relevant Representations, submitted at Deadline 1.</p> <p>The Applicant can confirm that the change in traffic noise environment in the Cambourne West development has been assessed, and is reported in paragraph 11.9.84 of Chapter 11, Noise and Vibration <b>[APP-080]</b> of the Environmental Statement. The assessment has recorded that a moderate increase in traffic noise is predicted in the area of that development located closest to the Scheme, which would result from the greater volume of traffic flowing through the Caxton Gibbet junction at higher speeds. It also acknowledges that traffic noise will continue to dominate the acoustic environment in the development area, as it does currently.</p> <p>The changes in traffic noise levels at individual properties in the Camborne West development have not been included in Table 11-11 (short term) and 11-12 (long term) in Chapter 11, Noise and Vibration of the Environmental Statement <b>[APP-080]</b> as they are not anticipated to be occupied prior to the start of construction. Accordingly, future residents of these properties will not experience a change in noise as a consequence of the operation of the Scheme. However, the noise modelling study area includes a large proportion of the development site and the change in traffic noise levels in the area to be developed is therefore illustrated on Figure 11.5 <b>[APP-147]</b> and 11.6 <b>[APP-148]</b> of the Environmental Statement for the short term change and long term change respectively.</p>
REP1-048bx	9.3 The Applicant is not proposing to provide mitigation at the eastern end of the Scheme at Eltisley, Cambourne West and some isolated properties (Pastures Farm, The Dovecote at Pastures Farm, Pembroke Farmhouse, The Cow Shed (1 and 2 Pembroke Farm), New Bungalow, Oak Tree Cottage, 1-4 Common Farm Cottages and the Iway Inn) and the Councils did not previously agree with that position. However, further information has since been received, indicating that mitigation is not possible on either engineering or cost grounds. Further justification is required from the Applicant to support this position.

Reference Number	Written Representation/Applicant Comment
Applicant Comment	<p>Refer to the response to RR-013t, RR-048t and RR-100t <b>[REP1-021]</b> within the Applicant's Response to the Relevant Representation, submitted at at Deadline 1.</p> <p>The Applicant met with representatives from South Cambridgeshire District and Huntingdonshire District Councils on 15<sup>th</sup> July 2021 to discuss the operational traffic noise impacts predicted for the Scheme in their areas. This involved onscreen demonstration of the noise model used to predict the impacts and the noise barrier mitigation considered but not proposed to be included in the Scheme. The discussion focused on the change in traffic noise levels and the large extent of barriers required to achieve even a minor reduction in traffic noise at a small number of properties.</p> <p>As required by the NPSE, NPSNN and National Highways noise assessment guidance LA 111, noise mitigation measures cannot be considered in isolation and a range of factors need to be considered. Paragraph 11.3.69 of Chapter 11, Noise and Vibration of the Environmental Statement <b>[APP-080]</b> summarises the factors which we have considered when identifying sustainable noise mitigation measures to be included in the Scheme. Such factors include cost versus benefit, engineering practicality, generation of non-acoustic impacts (such as visual impact) and consultation and stakeholder engagement responses.</p> <p>A number of noise mitigation measures have been embedded into the Scheme and these are summarised in paragraphs 11.8.9-11.8.12 of <b>APP-080</b>. This includes a number of sections of the route being below existing ground level (i.e. in cutting) which would screen traffic and reduce noise impacts in the vicinity. These include east of Toseland Road bridge and through Eltisley junction. Noise bunding has also been embedded within the Scheme as it passes close to the intersection with Potton Road. In addition, the Scheme would also be constructed with low noise surfacing materials along its length.</p> <p>The Applicant has considered additional noise mitigation in the form of noise barriers at a number of locations either to reduce the magnitude of predicted traffic noise increases due to the Scheme. However, the potential noise barriers described in Chapter 11 Noise and Vibration of the Environmental Statement <b>[APP-080]</b> have not been included in the Scheme as they were not identified to be sustainable noise mitigation measures when the factors set out above were considered.</p> <p>Paragraph 11.9.79 of Chapter 11, Noise and Vibration <b>[APP-080]</b> of the Environmental Statement confirms that consideration has been given to the installation of noise barriers at a number of locations at the eastern end of the Scheme.</p> <p>Operational noise impacts and potential mitigation at the identified locations are described below:</p>

Reference Number	Written Representation/Applicant Comment
	<p><b>Pembroke Farm and 1 and 2 The Cow Shed</b> - These properties are predicted to experience minor and moderate increases on several of their facades of between 2 and 3dB in the daytime in the opening year with the Scheme in place. The traffic noise levels at these facades with the Scheme in place will remain low, below or around the daytime LOAEL even with these predicted increases (44-55 LA10,18h dB day without scheme and 45-58 LA10,18h dB day with scheme). Noise barriers alongside the eastbound dual carriageway to the west of Caxton Gibbet junction, and over the Caxton Gibbet junction have a minor effect on reducing traffic noise at these properties, with reductions across all facades limited to a maximum of 2dB. Based on the low absolute noise levels and the limited benefit a barrier would provide to these few properties, noise barriers in this location are not considered to be a sustainable noise mitigation measure and hence has not been included in the Scheme design.</p> <p><b>Pastures Farm and The Dovecote</b> - These properties are predicted to experience minor increases on several of their facades of between 1 and 2dB in the daytime in the opening year with the Scheme in place. The traffic noise levels at these facades with the Scheme in place will remain low, below the daytime LOAEL even with these predicted increases (42-49 LA10,18h dB day without scheme and 47-51 LA10,18h dB day with Scheme). Noise barriers alongside the westbound dual carriageway to the west of Caxton Gibbet junction and barriers over the Caxton Gibbet junction have a negligible effect on reducing traffic noise at these properties, with the maximum reduction limited to 0.9dB. Based on the low absolute noise levels and the very limited benefit a barrier would provide to these few properties, a noise barrier in this location is not considered to be a sustainable noise mitigation measure and hence has not been included in the Scheme design.</p> <p><b>1-4 Common Farm Cottages</b> - These properties are predicted to experience minor and moderate increases on several of their facades of between 1 and 3 dB in the daytime with the Scheme in place. The traffic noise at these facades of 2-4 Common Farm Cottages will remain low, below or around the daytime LOAEL even with these predicted increases (43-55 LA10,18h dB day without Scheme and 44-58 LA10,18h dB day with Scheme). The traffic noise at the west facades of 1 Common Farm Cottages, will remain low, below LOAEL, with the remaining facades closer to St Neots Road remaining below SOAEL, even with these increases (42-59 LA10,18h dB day without Scheme and 44-62 LA10,18h dB day with Scheme). Noise barriers alongside the eastbound dual carriageway to the east of Caxton Gibbet junction and barriers over the Caxton Gibbet junction have a minor effect on reducing traffic noise at these properties, with the maximum reduction across all facades limited to 1.5dB. Based on the low absolute noise levels and the limited benefit a barrier would provide to these few properties, a noise barrier in this location is not considered to be a sustainable noise mitigation measure and hence has not been included in the Scheme design.</p> <p><b>Oak Tree Cottage and New Bungalow</b> - These properties are predicted to experience minor increases on several of their facades of between 1 and 2dB in the daytime in the opening year with the Scheme in place. The traffic noise levels on the</p>

Reference Number	Written Representation/Applicant Comment
	<p>south facing facades with the Scheme in place will remain low, below the daytime LOAEL, with remaining facades remaining below SOAEL even with these predicted increases (48-65 LA10,18h dB day without Scheme and 50-66 LA10,18h dB day with Scheme). Noise barriers alongside the westbound dual carriageway to the east of Caxton Gibbet junction and barriers over the Caxton Gibbet junction have a minor effect on reducing traffic noise at these properties, with the maximum reduction across all facades limited to 1.6dB. Based on the very limited benefit a barrier would provide to these few properties, a noise barrier in this location is not considered to be a sustainable noise mitigation measure and hence has not been included in the Scheme design.</p> <p><b>Iway Inn</b> – This property is predicted to experience minor and moderate increases in noise on its east facing facades of between 2 and 5dB in the daytime in the opening year with the Scheme in place. The traffic noise levels on these will remain low, around or below LOAEL, even with these predicted increases (48-55 LA10,18h dB day without Scheme and 52-58 LA10,18h dB day with Scheme), Noise barriers alongside the eastbound dual carriageway to the east of Caxton Gibbet junction and barriers over the Caxton Gibbet junction have a minor effect on reducing traffic noise at these properties, with the maximum reduction across all facades limited to 2.9dB. Based on the low absolute noise levels and the limited benefit a barrier would provide to this individual property, a noise barrier in this location is not considered to be a sustainable noise mitigation measure and hence has not been included in the Scheme design.</p>
REP1-048by	<p><b>10. AIR QUALITY</b></p> <p>10.1 The Air Quality Assessment is subject to further revision if any changes are made to the initial Transport Assessment and the estimated traffic flow and traffic data associated with the Scheme. This is particularly important near the junctions and areas where residential dwellings are in close proximity of the road. The revision will ensure that the modelled pollution levels are not subject to any significant changes at sensitive locations.</p>
Applicant Comment	The Applicant notes the comment from the Cambridgeshire authorities.
REP1-048bz	<p>10.2 A local dust management plan during the construction phase should be considered for areas that residential dwellings and sensitive receptors are in close proximity of the Works as set out in the Air Quality Outline Management Plan (OMP), part of the First Iteration Environmental Management Plan (<b>APP-234</b>). These measures should inform the final Management Plan and the relevant DCO Requirements.</p>
Applicant Comment	The Applicant notes the comment from the Cambridgeshire authorities and will engage further on these matters.

Reference Number	Written Representation/Applicant Comment
REP1-048ca	10.3 As well as decreases in NO <sub>2</sub> , small increases are predicted at a limited number of locations representative of sensitive receptors, however from the information within the assessment and available through our own monitoring, it is considered the proposal will not lead to a breach in national objectives or an unacceptable risk from air pollution for the residents of Huntingdonshire. However, this may change if there are changes to the transport assessment.
Applicant Comment	The Applicant notes the comment from the Cambridgeshire authorities.
REP1-048cb	10.4 With regard to the impacts on air quality during the construction phase, the First Iteration Environmental Management Plan (EMP) [TR010044/APP/6.8] ( <b>APP-234</b> ) includes a range of measures to reduce potential environmental impacts. A Second Iteration EMP will be completed by the Principal Contractor to cover potential environmental impact during the construction phase. The Councils have had meetings with the Applicant where this has been highlighted.
Applicant Comment	The Applicant notes the response from the Cambridgeshire authorities.
REP1-048cc	10.5 The Councils request a requirement to ensure a Construction Environmental Management Plan is submitted and agreed in writing with the LPA's prior to construction works commencing to ensure all reasonable mitigation measures are utilised during the construction phase.



Reference Number	Written Representation/Applicant Comment									
	<table><tr><th>Commitment</th><th>Why it is required</th><th>How it should be secured</th></tr><tr><td>Commitment to hours of operation of works, and monitoring during construction</td><td>To control pollution and enable mitigation to be completed where required</td><td>Construction Environmental Management Plan to be agreed with all LA's</td></tr><tr><td>Commitment to officer input and control during construction, for example via liaison meetings</td><td>To ensure on going control of pollution and enable any issues to be addressed throughout the construction process</td><td>Management plan and/or DCO.  All LA's to agree.</td></tr></table>	Commitment	Why it is required	How it should be secured	Commitment to hours of operation of works, and monitoring during construction	To control pollution and enable mitigation to be completed where required	Construction Environmental Management Plan to be agreed with all LA's	Commitment to officer input and control during construction, for example via liaison meetings	To ensure on going control of pollution and enable any issues to be addressed throughout the construction process	Management plan and/or DCO.  All LA's to agree.
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Commitment to hours of operation of works, and monitoring during construction	To control pollution and enable mitigation to be completed where required	Construction Environmental Management Plan to be agreed with all LA's								
Commitment to officer input and control during construction, for example via liaison meetings	To ensure on going control of pollution and enable any issues to be addressed throughout the construction process	Management plan and/or DCO.  All LA's to agree.								
Applicant Comment	<p>The Applicant [KNE1] is not able to change the core working hours as set out in Chapter 2, The Scheme [APP-071] of the Environmental Statement, as these time periods are required in order to deliver the Scheme within the overall construction programme. A consequence of a change to the core working hours would be an extension to the construction programme. However, the Applicant is willing to engage in discussions with the local authorities so that agreements can be sought when working close to sensitive locations, such as residential properties, or where there are specific activities, such as during school exams, where noise from construction could potentially be minimised. Where appropriate, discussions will be held with local authorities on these matters during the detailed design stage where mitigation can be discussed in more detail. This engagement will be secured in the next revision to the First Iteration Environmental Management Plan [APP-234].</p> <p>The Applicant's resources include a dedicated customer team who will work with the local authorities to ensure complaints are managed in a timely and effective manner. They will also provide a direct means of contact with the team and will not rely on meetings as the only means of interaction and collaboration. Frequency of meetings will be agreed in consultation with each local authority. However, we expect customer interaction may fluctuate and have the means to adjust resources according to demand.</p>									

Reference Number	Written Representation/Applicant Comment
REP1-048cd	<p>11. <b>CONTAMINATED LAND</b></p> <p>11.1 Subject to a commitment and further detail on the approach to backfilling borrow pits, there are no significant concerns with the contaminated land assessment.</p>
Applicant Comment	The Applicant notes the response from the Cambridgeshire authorities.
REP1-048ce	<p>12. <b>CULTURAL HERITAGE: ARCHAEOLOGY</b></p> <p>12.1 Baseline evidence</p> <p>12.1.1 CCC is satisfied that the baseline evidence for Cultural Heritage presented in the DCO application, with particular reference to archaeology, presents a thorough understanding of known and newly found archaeological information along the study corridor of the Scheme. This evidence includes the desk-based assessment of known heritage assets collated in the Preliminary Environment Impact Report, appraising designated (Scheduled Monuments, Listed Buildings, Conservation Areas, Parks and Gardens) and non-designated remains. The evidence is supported by geophysical survey reports, aerial photographic transcription and LIDAR survey reports and a series of archaeological evaluation reports of trench-based work undertaken to validate and verify cropmarked evidence or anomalies from magnetometry surveys, and to search for other evidence not captured in non-intrusive survey.</p> <p>12.1.2 The Scheme's environmental assessment process follows the guidance of the Design Manual for Roads and Bridges Sustainability &amp; Environment Appraisal document: LA 106 - <i>Cultural heritage assessment</i>, which also provides outline mitigation measures for consideration when designing strategies to mitigate construction impacts on archaeological remains.</p> <p>12.1.3 The compilation of the baseline evidence complies with the Government's policies for the delivery of NSIPs as set out in 'The historic environment' section of <i>National Policy Statement for National Networks (NPSNN)</i> (DoT 2014). These policies broadly replicate the planning policies governing development in England contained in the National Planning Policy Framework (2021) for housing and other development and allow a consistency of approach when determining the impact of development of any kind on the archaeological resource and other heritage assets. Paragraphs 5.126 and 5.127 have regard to the <i>Applicant's Assessment</i> in the NPSNN and are consonant with paragraphs 194-196 of the NPPF.</p>

Reference Number	Written Representation/Applicant Comment
	<p>12.1.4 Based on these policies, a scoping response was issued by CCC in May 2019 setting out the types of desk-based and non-intrusive baseline evidence needed and subsequently an Archaeological Evaluation Brief was issued in August 2019 for the acquisition of physical evidence.</p> <p>12.1.5 CCC is satisfied with measures taken by the Applicant to acquire and present a digest of the known archaeological record for the Scheme's study corridor.</p>
Applicant Comment	The Applicant notes the response from the Cambridgeshire authorities.
REP1-048cf	<p>12.2 Archaeological Mitigation Strategy (AMS) ES Vol 6 TR010044/APP/6.12 (<b>APP-238</b>)</p> <p>12.2.1 A Joint Authorities' Archaeological Brief for Investigation (JAAB produced by historic environment officers from CCC, Bedford Borough Council (BBC) and Central Bedford Council (CBC) was issued to the Applicant in December 2020, setting out the requirements for the archaeological programme, including a substantial public engagement element, a series of research aims and objectives, guidance for the preparation of the digital and physical archaeological archives, requirements for display and publication of the evidence. This was issued following the submission to CCC of a draft AMS that CCC had not been invited to be involved in the development of which is inconsistent with normal curatorial practices. The JAAB was issued to ensure that local requirements would be met and to retain a consistency with archaeological programmes current on other major development schemes in the vicinity of the Scheme's study area.</p> <p>12.2.2 Some parts of the AMS have conflicting research aims and objectives and this has recently been explained as deriving from the Applicant team's inclusion of a discussion paper and aspects of the Regional Research Framework being too directly applied and unedited (e.g. REF 48 of TR010044/APP/6.12, Vol 6 6.12 Archaeological Mitigation Strategy). That said, much of the AMS can be and has been approved by CCC as consistent with and relevant to the policies for recording archaeological remains contained in NPSNN paragraphs 5.139-5.14, which are similar to those in paragraphs 199-208 of NPPF.</p> <p>12.2.3 However, there are areas of the AMS where opinion has polarised between the Applicant team and CCC, specifically: a) Archaeological site areas that we consider should be included in the investigation scheme, and b) Investigation methodology: including the use of appropriate geoarchaeological techniques to ensure that the relationship of rivers and streams to the archaeological sites located in proximity to them is properly established.</p>

Reference Number	Written Representation/Applicant Comment
	<p>12.2.4 Following the return of CCC's review of the AMS listing 76 areas to be addressed in order to agree a suitable, operable archaeological programme, these areas are to be discussed by the Applicant's heritage team and CCC officers in the coming days and weeks. CCC are seeking to ensure that the AMS is suitably scoped and resourced so that scheme programming will not be subject to programme or financial risks owing to any misunderstanding about what will be required in the archaeological investigation programme. CCC require the AMS to contain robust and accurate summaries of the works needed at each of the 31 Cambridgeshire archaeological sites.</p>
Applicant Comment	<p>12.2.1 The Applicant disagrees with the statement that CCC have not been involved with the development of the archaeological mitigation strategy <b>[APP-238]</b> (AMS). The AMS was developed during the evaluation phase and was updated upon completion of the evaluation. A meeting was held on 24 September 2020 to discuss the draft AMS, with the draft Rationale and Strategy for the Scheme, and draft information regarding mitigation areas, sent by e-mail in advance of this meeting on 23 September 2020. At this point the full results of the evaluation excavation were not available. This information was presented as draft only and was for discussion. E-mail responses with CCC comments on the mitigation areas were received on 15 October 2020, 29 October 2020 and 4 November 2020, with meetings held on 29 October 2020, 17 December 2020, 11 February 2021 and 16 February 2021. At these meetings, individual mitigation areas were discussed, and comments were taken into account as the mitigation strategy developed. Comments on the Rationale and Strategy were not received from CCC until 15 February 2021.</p> <p>It is also not accepted that mitigation strategies are devised solely by Curators at planning authorities. Guidance from the Chartered Institute for Archaeologists states "In the case of EIA, the brief or specification will usually be prepared by the developers or their agents, discussed with the planning archaeologist/curator and issued to tenderers." (see Standard and guidance for archaeological excavation, October 2020, paragraph 3.2.5.). This is the approach the Applicant followed for the Scheme.</p> <p>12.2.2 The research objectives have been taken from the Regional Research Agendas and from other sources, such as the Rationale and Strategy and the evaluation excavation reports, as detailed in section 4 of the AMS <b>[APP-238]</b>. While a range of research questions is posed, not all of these will be answered by every site or mitigation area, which is why some of the aims and objectives may appear contradictory. The Applicant does not agree with this position.</p> <p>12.2.3 a) CCC state that there are areas that should be included in the investigation scheme. It is not clear what these are, but we have assumed that this is related to extensions to mitigation areas proposed by CCC. We have previously advised CCC that we have not extended areas due to a lack of archaeological evidence from desk-based research</p>

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	<p>and the various stages of archaeological evaluation, most recently to comments on the AMS received from CCC on 5 July 2021 and responded to via e-mail on 2 August 2021. As agreed by CCC at a meeting held on 10 June 2019, blank areas could be signed off and no further work would be required during construction.</p> <p>12.2.3 b) With reference to geoarchaeology, the areas proposed for survey have been identified taking all evidence into account. Section 7.5 of Appendix 6.8 of the Environmental Statement <b>[APP-176]</b> included a review by MOLA's Senior Geoarchaeologist. This indicated that only deposits in Field 44 and 53 warranted further investigation. This is covered by work in Sites 7 and 10. In addition, further geoarchaeological work is proposed at Sites 19 (Field 58/62) and 35 (Field 69/70). The methodology is detailed in Section 10 of the AMS <b>[APP-238]</b>. This states that the methodology, design and any revised or site specific aims must be detailed in a Site Specific Written Scheme of Investigation (SSWSI) to be prepared by the Archaeological Contractor. All work must be undertaken in line with Historic England's guidance on Geoarchaeology. Historic England have also confirmed that they are satisfied with this approach (see paragraph 4.35 of their Written Representation <b>[REP1-077]</b>).</p> <p>12.2.4 The Applicant has reviewed the 76 areas raised by CCC. Of these, 63 have been addressed and the AMS updated. A revised AMS will be submitted at Deadline 3 <b>[TR010044/EXAM/09.23]</b>. The remaining areas of disagreement are mainly in relation to the extent of some of the mitigation areas. Summaries of the work required is contained within Section 5 and Appendix D of the AMS. In addition, each mitigation area will have a SSWSI to be agreed with the relevant Curator.</p>
REP1-048cg	<p>12.3 <u>Issue 1: Site 18</u></p> <p>12.3.1 CCC is concerned that insufficient consideration has been given to some areas of archaeological site evidence, such as the part of an Iron Age settlement enclosure and associated evidence in Site 18 (Evaluation Field 74) as reported in <b>ES Appendix 6.7: Archaeological Evaluation Trenching Phase 2 (APP-175)</b> that occurs just inside the Orders Limits and which constitute the earliest, more subtle forms of later settlement, modified and extended in the Roman period with more dominant non-intrusive signatures. CCC believe that unenclosed settlement morphology of the earlier Iron Age period has not been adequately addressed in the areas selected for archaeological investigation that has focused too tightly upon the dominant Roman settlement evidence. The omission of the archaeology of this field is unexplained in the AMS.</p> <p>12.3.2 The archaeological remains are shown on trench plans at Figure 5.3, at text section 5.21, and Table 10.20 of the Phase 2 Evaluation Report (<b>TR010044/APP/6.3</b>) (<b>APP-175</b>) and cropmarked information from air photos is shown at Figure 3 (AP8) of <b>Appendix 6.3: Analysis of Aerial Images TR010044/APP/6.3 (APP-175)</b>.</p>

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	<p>12.3.3 NPSNN paragraph 5.140 states (with CCC emphasis):</p> <p><i>“5.140 Where the loss of the whole or part of a heritage asset’s significance is justified, the Secretary of State should require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). <b>The extent of the requirement should be proportionate to the importance and the impact.</b> Applicants should be required to deposit copies of the reports with the relevant Historic Environment Record. They should also be required to deposit the archive generated in a local museum or other public depository willing to receive it.”</i></p> <p>12.3.4 While the scale of appropriate investigation proportionate to the importance and the impact can be debated, CCC object to the omission of known, interpretable archaeological content that will be destroyed within the Scheme boundary for the carriageway and advise that the entirety of Field 74 is included in the archaeological mitigation area. See Figure 5.33, Text section 5.21, Table 10.20 of the Phase 2 Evaluation Report and Figure 3 (AP8) of <b>Appendix 6.3: Analysis of Aerial Images TR010044/APP/6.3 (APP-165).</b></p>
Applicant Comment	<p>In the part of Site 18 in Field 74, the very top of an enclosure is located in the southern part of the eastern half of this field. The overwhelming majority of the enclosure lies outside the Order Limits and will remain unaffected. This extends for approximately 75m to the south of the Order Limits. The part of the enclosure in question was covered by Trench 1438. Ten features (ditches, gullies and pits) were identified in this trench and the features were excavated. As stated in paragraph 2.1.2 of the AMS <b>[APP-238]</b> “Not all sites will be fully excavated, as the primary aim of the Strategy is to maximise knowledge gain”. At this location, no further information would be gained in relation to the research questions than has already been gathered from the evaluation, if further excavation was to be undertaken here. It does not meet the overarching objective of the AMS. In addition, the results of the evaluation have identified that the ditches are of a Late Iron Age date (late 1<sup>st</sup> century BC to early 1<sup>st</sup> century AD). The Applicant is confident that the features in this area have been examined in sufficient detail.</p> <p>We disagree with this statement: “CCC believe that unenclosed settlement morphology of the earlier Iron Age period has not been adequately addressed in the areas selected for archaeological investigation that has focused too tightly upon the dominant Roman settlement evidence.” There are a number of areas where unenclosed Iron Age remains will be investigated. These include Site 8 in Field 49, Site 9 in Field 49, Site 23 in Field 80 and Site 37 in Field 97.</p> <p>The statement that ‘the entirety of Field 74 is included in the archaeological mitigation area’ is at odds with previous advice from CCC, where only a part of the eastern half of this field was requested.</p>



Reference Number	Written Representation/Applicant Comment
REP1-048ch	<p>12.4 <u>Issue 2: Sites 36-39.</u></p> <p>12.4.1 The Borrow Pit to the NW of Caxton Gibbet roundabout contains a number of known archaeological cropmarked sites found through air photographic transcriptions and geophysical survey (see Fig 8: <b>Appendix 6.3: Analysis of Aerial Images TR010044/APP/6.3 (APP-165)</b>; Fig B30: <b>Appendix 6.4: Geophysical Survey Phase 1 &amp; 2 TR010044/APP/6.3 (APP-166)</b>). These are interpreted as Iron Age enclosures and have been verified during the Phase 3 evaluation trenching (Fig 5.19: <b>Appendix 6.8: A428 Phase 3 Evaluation Report Issue 3 TR010044/APP/6.3 (APP-176)</b>).</p> <p>12.4.2 Here, the settlement enclosures occur to the west of the A1198, also known as the Roman Road, Ermine Street (Cambs Historic Environment Record Ref CB15034). They form part of a broadly contemporary group that occur to the south of the A428, west of the junction (Sites 32-34, 36-39 in Fields 94-97), and those present in the current development-led archaeological investigations preceding the expansion of West Cambourne on the southeast side of Caxton Gibbet roundabout, where settlement continuation into the Roman period has been demonstrated.</p> <p>12.4.3 The AMS fragments the Sites 36-39 into individual mitigation areas drawn around their enclosure boundaries, preventing the holistic landscape view of them as part of an extensive settlement complex with numerous core areas and task sites. The archaeological setting of these sites is of considerable interest and has the ability of answering specific questions in the published East of England Research Framework that governs archaeological projects, specifically "LBA-MIA 07: What can we infer about the relationship between open and enclosed settlements?". This research aspect cannot be properly understood by adopting a fragmented approach to investigation in place of a landscape archaeological approach where it is relevant to do so.</p> <p>12.4.4 Non-enclosed occupation evidence, including burials, can be anticipated lying outside the settlement enclosures and much loss of archaeological grain can be expected. The relationship of these sites to the Roman road also requires investigation.</p> <p>12.4.5 Also in this Borrow Pit are the permutations of the parish boundary of Papworth Everard and Caxton. The parish boundaries derived from 'Hundred' boundaries: a hundred, in the early Medieval period, being the unit of land that 100 men could sustain themselves in during times of battle. The former ditched boundary will be destroyed by the Borrow Pit and the origins of the ditched parish boundaries should be included in the investigation programme in accordance with the Joint Authorities' Archaeological Brief. While a 1m wide excavation slot was excavated across one of the parish boundary ditches during the evaluation, finding early 18th and 19th century material, one small</p>



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	<p>slot is considered insufficient to speak meaningfully about this aspect of a long-lived socio-political landscape feature.</p> <p>12.4.6 CCC has advised an alternative strategy that extends and merges the principal clusters in the borrow pit from four to two larger areas that will enable the research questions posed in the brief to be addressed. CCC requests that this alternative strategy is adopted by the Applicant.</p> <p>12.4.7 CCC will remind the Applicant that Policy 21 The Historic Environment of the newly issued Cambridgeshire &amp; Peterborough Minerals and Waste Local Plan 2036 (2021) advocates the following in its list of policies:</p> <p><i>“To assist decision makers, all development proposals that would directly affect any heritage asset and/or its setting (whether designated or nondesignated), must be accompanied by a Heritage Statement which, as a minimum, should:</i></p> <p><i>(a) describe and assess the significance of the asset and/or its setting to determine its architectural, historic, artistic or archaeological interest;</i></p> <p><i>(b) identify the impact of the development on the special character of the asset (including any cumulative impacts); and</i></p> <p><i>(c) provide clear and convincing justification for any harm to, or loss of, the significance of a heritage asset (from its alteration or destruction, or from development within its setting).”</i></p> <p>12.4.8 CCC do not consider that parts (b) and (c) have been suitably addressed in the AMS as the AMS does not give due regard to the unenclosed form of settlement that would demonstrate the presence of earlier occupation evidence or suitably locate aspects of human occupation that lay beyond the settlement boundary - such as task sites for industry and craft production or burial evidence/cemeteries. The incidental discovery of a Neolithic Langdale stone axe head found in a Medieval furrow from Field 97/this proposed Borrow Pit indicates the possibility of further, far older prehistoric evidence also being present here (see Archaeological Evaluation Trenching Phase 2 report, paragraph 2.54, TR010044/APP/6.3 <b>APP-175</b>).</p>
Applicant Comment	<p>12.4.3 The mitigation areas within Field 97 have been based on the results of the various phases of evaluation, including desk-based research, analysis of aerial photographs and LiDAR, geophysical survey, and evaluation excavation. There were 57 trenches excavated across this field. The evaluation evidence demonstrates that the geophysical survey was accurate, with the features identified on the geophysical survey and on aerial photographs located during the evaluation trenching. Furthermore, the areas between the enclosures is largely blank of features. There</p>

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	<p>are seven trenches outside of the mitigation areas which contained archaeological features. All of these features were post-medieval in date, with one undated ditch located. The parish boundary was identified in three trenches which, where excavated, contained a modern land drain at its base.</p> <p>12.4.4 Evidence for burials across the Scheme is extremely limited, apart from one possible cremation pit in Field 80 and human skull fragments in Field 49 and 65. There are mechanisms in place to ensure any remains identified outside of the mitigation areas will be investigated.</p> <p>There is no evidence to warrant further investigation of this field. While CCC reference a research question which asks “What can we infer about the relationship between open and enclosed settlements?”, this has been examined in this field through the trenching across the field. This found no evidence of a landscape between the enclosures.</p> <p>12.4.5 The parish boundary was sampled in the evaluation. The evaluation report (see Appendix 6-8) [APP-176] notes:</p> <p>“The boundary between the parishes of Papworth Everard and Yelling was excavated in T2046 and T2048 and also recorded in T2047 and T2118 (Image 10). <b>Though the parish boundary may have been marked by an earlier feature, this boundary survived as a ditch c1m wide and up to 0.65m deep, with a large ceramic drain at the base. Which [sic] had presumably removed any earlier iterations of the boundary.</b> Pottery dating between 1790 and 1830 was recovered during Phase 1, and the boundary existed into the 20th century, recorded on OS mapping.” (Emphasis ours)</p> <p>There is no evidence for an earlier boundary related to the Hundred boundary. In addition, elements of the purported different alignments of the parish boundary visible on the geophysical survey were not located during the trenching. Sites 36 and 37 do, however, cover alignments of the parish boundary and this will allow further investigation of these features.</p> <p>12.4.6 It is unclear what the two mitigation areas mentioned in 12.4.6 are. At no point have CCC provided this information to the Applicant, instead requesting a much larger area covering a large part of the field.</p> <p>12.4.7 The Cambridgeshire &amp; Peterborough Minerals and Waste Local Plan 2036 was released on 28 July 2021, which is well after the date of submission of the application. Notwithstanding this, while it is not the place of the AMS to provide significance statements, impact assessment or to provide justification for any harm, this information is contained within Chapter 10 Material Assets [APP-079] of the ES. Bullets (a) and (b) are covered in Section 9 of Chapter 6, Cultural Heritage of the Environmental Statement [APP-075], while bullet (c) is included in the Case for the Scheme, Volume 7.7.1 [APP-240]</p>

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REP1-048ci	<p>12.5 <u>Issue 3; Proposal to place a Multiple Purpose Construction Area over vulnerable archaeological remains at Site 17</u></p> <p>12.5.1 Although a methodology for the erection of a road embankment over part of the Cataractonium scheduled monument during the A1 Dishforth to Barton Improvements scheme has been submitted to indicate how placing a multiple purpose construction area over archaeological remains could be achieved, CCC are not satisfied that the specific site conditions on the Cambridgeshire clays matches that in the area of the River Swale, N Yorks where this method for archaeological protection beneath a permanent embankment has been trialled. An alternative location for this multiple purpose construction area is advised.</p> <p>12.5.2 The scheduled monument contained building foundations, pottery, glass and bone.  (Ref: SCHEME: A1 Dishforth to Barton Improvements DOCUMENT TYPE: Methodology SUBJECT: Preservation in Situ Strategy within Cataractonium Scheduled Monument at Brompton, and Backfilling of Areas A and B DOCUMENT REF No: L2B_12_01_ME020 DATE: December 2014.</p> <p>12.5.3 Two scenarios of change were modelled: a) Stress changes from a permanent embankment over archaeological remains; b) Stresses caused to archaeological deposits during the construction of the embankment.</p> <p>12.5.4 The model used proxy tests based on the stress test results of older experimental work concerning the burial of replica artefacts in a controlled laboratory setting, concluding there would be &lt;1% chance of pottery breakage occurring beneath the long-term soil load of an embankment.</p> <p>12.5.5 CCC's concern is that the proposal for the temporary multiple purpose construction area will involve both construction and removal impacts along with those that stand to crush and distort artefacts and shallow features that are currently buried beneath shallow soil cover by frequent and heavy vehicle movements, particularly if they involve slewing manoeuvres. The site remains in question are at Site 17 (Field 70) for which no stress tests have been undertaken. The site, like most in Cambridgeshire, lacks robust stone foundations as archaeological buildings are earthen, brick or timber framed in this stoneless part of the county. Consequently, the archaeological evidence is subtle and vulnerable to damage from tracked vehicles and compression.</p> <p>12.5.6 The risk of damage to or loss of vulnerable archaeological remains is very high where vehicle movements to place or access stored materials may affect them through grinding actions or compression. CCC do not accept that the proposal to avoid excavation needs by sealing the archaeological evidence beneath layers of material designed to preserve them in situ is suitable mitigation for the impacts anticipated for this temporary scheme feature. There would be no possibility for a 'Plan B' to excavate remains that might be found to have been damaged during the course of erecting or dismantling the temporary works, as these are likely to have suffered too great a change for</p>

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	<p>them to be interpretable. There has been no physical test, including shear testing, to determine if this form of mitigation would be at all suitable in this specific location where the western edge of SaxoNorman settlement (late 1st millennium AD) and Late Bronze Age to Early Iron Age settlement (first half of 1st Millennium BC) remains are present.</p> <p>12.5.7 Experience of this aspect of (unapproved) storage of soils and temporary compounds over archaeological sites on the recent A14 Cambridge to Huntingdon Road Improvement Scheme can highlight deep rutting of archaeological remains by both wheeled and tracked vehicles (at sites TEA 7, TEA 10) and removal of archaeological remains or loss of clarity of the deepest remains caused by erection and dismantling of construction compounds (TEA 16).</p> <p>12.5.8 CCC will continue to recommend total avoidance of impacts to archaeological remains by fencing off areas to keep them safe from all construction impacts if they cannot be excavated in advance and information from them conserved by record for future researchers adding to local/regional knowledge gain.</p>
Applicant Comment	<p>The response contained in Section 12.5 is puzzling to the Applicant. It is <b>not</b> proposed to preserve Site 17 in the area proposed for multi-construction purposes in Field 70. As stated in Section 5 and Appendix D of the AMS <b>[APP-238]</b>, this site will be subject to "Excavation of Bronze Age features. Saxon-Norman remains will be stripped and excavated solely to establish feature relationships and association with DMV. Mapping of ridge and furrow alignment. Record relationship of the ridge and furrow to medieval settlement activity". Its should be noted that following comments on the AMS we have removed the word 'solely' from this text and it was the Applicant's understanding that if this was done CCC would have no further objection to this mitigation area.</p> <p>It is possible that the confusion has arisen from information in paragraph 11.3.1 of the AMS <b>[APP-238]</b> which deals with preservation of archaeological remains. This paragraph states "perhaps elements of Site 17" – it does not state that this area will be retained under the soil bund, or other construction use, in its entirety. It is anticipated that any proposals to preserve archaeology under soil storage or other construction use would only be determined following topsoil strip and initial investigation of remains. A SSWSI would need to be produced detailing any exact methodology for retention, which must be in line with Section 11 of the AMS. This would include a requirement to look at stress testing. Paragraph 11.3.2 states <i>"The Archaeological Contractor will include in the SSWSI methods that they intend to use to protect sensitive buried archaeological remains, including measures to prevent damage (such as deep rutting) caused by vehicles or plant. This will include detail on the effects of compression and loading (whether dynamic or static) and site specific protective measures, including the extent of the area to be protected, the depth of fill required and the type of fill."</i> This SSWSI would need to be agreed with CCC.</p>

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REP1-048cj	<p>13. <b>MINERALS AND WASTE</b></p> <p>13.1 Insufficient detail exists on the borrow pits to meaningfully assess the proposals and impacts that will arise from them, including cumulative impacts and implications for wider specialisms such as cultural heritage.</p> <p>13.2 The works and associated haul routes and other relevant infrastructure should be controlled prior to construction.</p> <p>13.3 As set out in the Councils' Relevant Representations (<b>RR-013, RR-048 and RR100</b>), the Minerals and Waste Planning Authority (MWPA) has concerns about the proposed borrow pits. A total of four borrow pits are proposed. Two would be located in Cambridgeshire (Sites 3 and 4) in the vicinity of Caxton Gibbet and both are proposed to be restored to agriculture. This representation relates to the two borrow pits within Cambridgeshire and should be read alongside CCC's comments on ecology and biodiversity (section 7) and landscape (section 8).</p> <p>13.4 The MWPA first reviewed the available documentation in April 2021, noting that there was no single section of the documentation addressing the topic of borrow pits. Instead, the available information was located in amongst other topics; consequently, whilst the MWPA had been as thorough as possible, it could not say with certainty that it identified all relevant information at that time.</p> <p>13.5 Since then, the Applicant has prepared a document called "A428 Black Cat to Caxton Gibbet improvements - Borrow Pits Excavation and Restoration Report" dated July 2021. This is described as a technical note and will be referred to as the TN hereafter. It is understood that the TN was intended to bring together all the relevant information in relation to the borrow pits and its provision is welcomed. However, it is also noted that the drawings towards the end of the document are dated 17 June 2021 and introduce depth cross sections. This indicates the TN appears to be introducing new information not previously submitted. For the purposes of this representation, the MPWA has assumed that the TN forms part of the DCO application and the Applicant will be seeking to enter it as evidence, if it has not already done so.</p> <p>13.6 Within TN paragraphs 1.2.19 and 1.2.20 it is stated that "The First Iteration [Environmental Management Plan] EMP (<b>APP-234</b>) will be developed into the Second Iteration EMP by the Principal Contractor, with the assistance of the host authorities, once the detailed design of the Scheme has been finalised"; and "On completion of construction, the PC will prepare the Third Iteration EMP for the operational and maintenance phase of the Scheme, which will be implemented by the authority responsible for the maintenance of the Scheme once open to traffic." The Councils understanding of this statement is that the design and the environment management for the borrow pits is yet to be finalised. The Councils, and specifically the CCC, is working based on the assumption that the Applicant is likely to be seeking to finalise the borrow pit detailed design and EMP after the DCO has been issued</p>

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Applicant Comment	<p>The Applicant has responded to the Interested Party's Relevant Representations on the topic of borrow pits within the Applicant's Response to Relevant Representations <b>[REP1-021]</b> submitted at Deadline 1. In summary:</p> <ul style="list-style-type: none"> <li>• The formation, operation and management of the borrow pits and haul routes will be included and detailed in the management plans as listed within the First Iteration Environmental Management Plan <b>[APP-234]</b>. The addition of this construction related information will form the subsequent iterations of the Environmental Management Plan as it is developed.</li> <li>• The approach to backfilling of the borrow pits is outlined in Chapter 2, The Scheme <b>[APP-071]</b> of the Environmental Statement and the Borrow Pits Optioneering Report <b>[APP-246]</b>.</li> </ul> <p>In relation to borrow pit restoration, the Applicant refers the local authorities to its responses to RR-013f, RR-048f and RR-100f within the Applicant's Response to Relevant Representations <b>[REP1-021]</b>.</p> <p>The Applicant can confirm that the document "Borrow Pits Excavation and Restoration Report" has been submitted at Deadline 3 <b>[TR010044/EXAM/9.24]</b>.</p>
REP1-048ck	<p>13.7 In Section 1.5 of the TN, an extract from the Policy Considerations section of the Environmental Statement is repeated. This sets out the consideration that the Applicant has given to relevant local policy in relation to the borrow pits, and identifies two policies, MSP9 from the Bedford Borough, Central Bedfordshire and Luton Borough Councils' Minerals and Waste Plan, and Policy 7 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) (MWLP). At paragraph 1.5.3 of the TN criteria (a) to (e) of Policy 7 have been briefly, but in the MWPA's view, inadequately addressed.</p> <p>13.7.1 How much is the shortfall of Class 1 / 2 material at the Caxton Gibbet junction?</p> <p>13.7.2 Policy 7 states that <i>"in order to pass the "well related geographically" test, the borrow pit must be significantly geographically better located, when taken as a whole, compared with all other relevant allocated or existing operational sites from which the mineral could otherwise be drawn. Factors taken into account to determine this will include, but not necessarily be exhausted by, the following: lorry distance travelled and the associated carbon emissions of such travel; amenity impact of lorries on local communities; and impact of lorries on the highway network more generally, such as increasing/decreasing congestion or safety. A borrow pit simply being physically nearer the named project, compared with an existing operational or allocated site, will not in itself necessarily pass the test."</i> The MWPA requires the Applicant to identify the other potential sources of the relevant material and, taking into account the explanatory text within the policy quoted above, demonstrate why the proposed borrow pits</p>



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	<p>would be well located geographically to the Scheme. Examples of alternative sources of sand and gravel within Cambridgeshire would include Little Paxton Quarry and Marsh Lane Quarry at Hemingford Grey. Given the location of the proposed borrow pits, the search area may need to include sites in Bedfordshire.</p> <p>13.7.3 No reference is made of MWLP Policy 19 Restoration and Aftercare, which is explicitly referenced in Policy 7, nor is there any reference to the potentially relevant "Development Management" policies such as: Policy 18 Amenity considerations, Policy 20 Biodiversity and Geodiversity, or Policy 24 Sustainable Use of Soils. CCC wishes to emphasise that Policy 19 includes a number of requirements that proposals must, where appropriate, comply with. These include agreed phasing of development, integration with relevant green infrastructure and biodiversity net-gain. CCC is of the view that it has not been demonstrated how the current proposal would meet the above policies and, based on the information provided, the current proposal does not accord with the MWLP.</p> <p>13.7.4 The MWPA notes that the material that would be used to restore the borrow pits would "be generated from the works across the scheme". This is rather general and as part of the "well located geographically" test it should be shown where within this linear scheme the restoration material would be sourced.</p> <p>13.7.5 No justification is given for the statement that the borrow pits "<i>would not impact on the wider market</i>". As set out in (b) above, the Applicant has not identified potential alternative sources of material so the absence of significant harm to existing operational quarries and local markets has not been demonstrated.</p>
Applicant Comment	<p>The Applicant can confirm that the document "Borrow Pits Excavation and Restoration Report" has been submitted at Deadline 3 <b>[TR010044/EXAM/9.24]</b>. This provides details of the volumes of construction material that the borrow pits at the Caxton Gibbet junction area would supply. The Applicant's response to the combined authorities Local Impact Report (LIR) <b>[REP2-003]</b> on the matters of alternative sources of construction materials explains why the proposed borrow pits are necessary and provide a more sustainable solution than sourcing an equivalent amount of materials on the open market from operational quarries in the East of England.</p> <p>The Applicant has also commented upon the combined authorities Minerals and Waste Plan policies, including Policy 19, and Policy 20 in its response to the LIR <b>[REP2-003]</b> submitted to the Examination at Deadline 3 <b>[TR010044/EXAM/9.22]</b>. In summary, the Applicant considers that the Scheme is in compliance with these policies. Policy 18, Amenity Considerations was not included within the Cambridgeshire Authorities local policy assessment contained within its LIR <b>[REP2-003]</b>. However, the Applicant considers that the Scheme is compliant with all relevant parts of this policy. In addition, the Applicant notes that the LIR <b>[REP2-003]</b> local policy assessment considers the Scheme to be in compliance with Policy 24 (sustainable use of soils); the Applicant agrees in this matter.</p>



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	<p>The Applicant is unable to provide the site-specific details requested in paragraph 13.7.4 above, as such details would not be available until detailed design stage. Detailed design matters must be in accordance with the preliminary scheme design shown on the works plans, the general arrangement plans and the engineering cross sections and are secured through Requirement 12 of the draft Development Consent Order (dDCO) <b>[REP1-003]</b>. The detailed design matters would be agreed in writing by the Secretary of State, following consultation with the relevant local authorities on matters relating to their functions.</p> <p>The borrow pits would be operated solely for the provision of construction materials for the Scheme, and would be backfilled, as far as possible, using materials extracted from the borrow pits (or elsewhere along the route of the Scheme) which are found to be unsuitable for engineering purposes. The Applicant's response to the combined authorities Local Impact Report <b>[TR010044/EXAM/9.22]</b> explains why the borrow pits would not impact upon wider markets.</p>
REP1-048cl	<p>13.8 It is noted that borrow pit Site 3 would, like Site 11 and Site 14, be restored to enable agricultural at original ground levels <i>"unless otherwise agreed with the landowner and subject to the limits of the dDCO"</i>. In order to comply with Policy 7 and Policy 19 a firm restoration proposal is needed with appropriate aftercare. The Applicant's attention is drawn to the Policy 19 requirement that <i>"Where it is determined that restoring the land to agricultural use is the most suitable option (in whole or part), then the land must be restored to the same or better agricultural land quality as it was pre-development."</i> This policy should be complied with, irrespective of the private arrangements agreed with the landowner and should form part of the Scheme.</p>
Applicant Comment	<p>The Applicant confirms that the borrow pit will be restored to agricultural land that is similar in quality and the soils managed and handled in line with Annex E of the First Iteration Environmental Management Plan <b>[APP-234]</b>. Please refer to the "Borrow Pits Excavation and Restoration Report" that has been submitted at Deadline 3 <b>[TR010044/EXAM/9.24]</b> and which contains more details about how restoration is secured.</p>
REP1-048cm	<p>13.9 It is noted that Site 4 would be restored to a condition to enable agricultural use by replacing the stripped and stored subsoil and topsoil without previously using material generated by the Scheme. The final land level would be approximately 1 metre below original ground levels. It is noted that only 1 metre depth of construction material would be taken from Site 4 which would seem an inefficient use of land. The Applicant is requested to provide further information on whether a borrow pit that is smaller in area but which would generate an equivalent quantity of material would have a smaller environmental footprint. Further information is requested on the rationale behind the restoration proposals for the borrow pit and Site 4 and, in particular, whether the current restoration proposal is driven by the landowner's desire for land at a lower level.</p>

Reference Number	Written Representation/Applicant Comment
Applicant Comment	The Applicant confirms that during the consultation process the landowner's preference was for the area of Site 4 to be restored to a level 1m below original ground level. It is noted that the proposed size of the borrow pit is comparable with the other borrow pits. The Applicant considers that larger and shallower borrow pits offer a more efficient means of material extraction than a smaller but deeper borrow pit. Shallower extraction allows for simpler management of groundwater and safer maintenance of cutting slopes. The intention is to return all of the borrow pits to agricultural use and this is simpler and more effective with shallow excavations. The larger borrow pit area will help mitigate associated risks with the quantities of unsuitable material encountered within the borrow pit and the quantities of available backfill material won from the Scheme. Furthermore, the Applicant does not propose to backfill the Site 4 borrow pit with site won material, and the backfilling will only consist of the stripped subsoil and topsoil. A smaller and deeper borrow pit would require unnecessary import of material.
REP1-048cn	13.10 The Applicant should consider whether a different restoration strategy for the borrow pits would enable the Scheme to provide the biodiversity net gain that is required by planning policy.
Applicant Comment	The Applicant refers the Cambridgeshire Authorities to its response to <b>REP1-048cj</b> .  The Applicant wishes to clarify to the Cambridgeshire Authorities that there is no requirement within the National Policy Statement for National Networks (NPSN) for transport-related nationally significant infrastructure projects to deliver Biodiversity Net Gain. While the NPSNN requires applicants to show how the project has taken advantage of opportunities to conserve and enhance biodiversity (in paragraph 5.23), there is no policy requirement for individual components of a nationally significant infrastructure project to each provide biodiversity gains. Through discussions with landowners, it has been concluded that the preferred method of borrow pit restoration is to agricultural uses.
REP1-048co	13.11 Whilst these deficiencies can be rectified, the borrow pits proposals will need to evolve to meet local policy. Consequently, the Councils would urge the Examining Authority to treat the information presented by the Applicant with an understanding of the uncertainty surrounding it until the further information requested has been provided.
Applicant Comment	The Applicant notes the response from the Cambridgeshire authorities.
REP1-048cp	13.12 In order to ensure that the proposed development meets local policy, and to accommodate the finalised state of the design, it is requested that an additional Requirement to the effect of the text below is placed within the order:

Reference Number	Written Representation/Applicant Comment
	<i>Plans for each borrow pit shall be submitted to the relevant host mineral planning authority detailing their extents, depths and levels, restoration, monitoring, aftercare and timescales of working. The submission should demonstrate that the proposal would comply with all relevant local policy principally Policy 7 and Policy 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and any other relevant policies in place at that time. For a submission to be approved it will need to address the above to the satisfaction of the relevant host mineral planning authority and any organisation or authority that will be responsible for long term maintenance. Commencing extraction or preparation works on the identified borrow pits without prior approval from the relevant host mineral planning authority, will be considered a breach of this requirement.</i>
Applicant Comment	The Applicant does not agree that a further Requirement needs to be added to the dDCO <b>[APP-025]</b> in relation to meeting local policy, as the Scheme is a Nationally Significant Infrastructure Project and will be determined against the policies set out within the NPSNN. The borrow pits technical report submitted to the Examination at Deadline 3, "Borrow Pits Excavation and Restoration Report" <b>[TR010044/EXAM/9.24]</b> provides details regarding how the borrow pits would be operated and restored in accordance with the First Iteration Environmental Management Plan (EMP) including its Annexes <b>[APP-234]</b> and as set out in the Environmental Masterplan <b>[APP-091]</b> . As the EMP is secured through Requirements 3 and 4 of the dDCO <b>[REP1-003]</b> , and compliance with the principles of the Environmental Masterplan is secured through Requirements 6 and 12, the Applicant considers that the addition of the borrow pit requirement suggested by the Cambridgeshire authorities is not necessary or proportionate.
REP1-048cq	13.13 In order to facilitate the timely provision of borrow pits in relation to the Scheme the host MWPA requests that the Applicant enter into an agreement to establish agreed timescales and payments for the review, approval, monitoring and any other related activities undertaken by the host MWPA, in relation to the requirements requested above.
Applicant Comment	These borrow pit matters are secured through requirements 3 and 4 of the draft Development Consent Order (dDCO) <b>[REP1-003]</b> in relation to the EMP.
REP1-048cr	13.14 In respect of the topic of disruption of amenity, it is the experience of the Councils, that where the principal contractor has a single public point of community liaison in place, that this helps ensure that most concerns raised by the public can be quickly addressed, benefiting both the community and the developer. To that end it is requested that an additional Requirement to the effect of the text below be placed within the order:

Reference Number	Written Representation/Applicant Comment
	<i>A single on-site point of community contact shall be provided by the applicant to respond to any concerns that the community may have.</i>
Applicant Comment	<p>The First Iteration Environmental Management Plan (EMP) <b>[APP-234]</b> requires (in Section 2) the project team during the construction phase to include the appointment of a community relations manager, whose roles are specified in Table 2-1 of the EMP <b>[APP-234]</b>. The EMP is secured through Requirements 3 and 4 of the draft Development Consent Order (dDCO) <b>[REP1-003]</b>. Therefore, the Applicant disagrees with the Cambridgeshire authorities in respect of the need for this new, suggested requirement.</p> <p>The Applicant and the Principal Contractor will publicise contact details including the National Highways customer care number, as well as its scheme social media platforms. The Applicant will respond to points raised by the public as quickly as possible.</p>
REP1-048cs	<p><b>14. FLOODING AND DRAINAGE</b></p> <p>14.1 CCC is a lead local flood authority (<b>LLFA</b>) for its administrative area and has responsibility, along with the UK Government, the Environment Agency and other LLFAs to manage flood risk. CCC notes that the Environment Agency has confirmed that its concerns with the DCO application are largely addressed by email dated 9 June 2021. This is with particular regard to the modelling carried out and proposed flood zone compensation provide within the Scheme.</p> <p>14.2 Protective provisions for the benefit of CCC as LLFA are required and the provisions of the draft DCO are to be discussed with the Applicant. With reference to Part 3 of Schedule 9 of the draft DCO (<b>APP-025</b>), CCC as LLFA requests the following key amendment in particular. At paragraph 20(3)(c) of part 3 of Schedule 9 (Construction of specified works), CCC as LLFA considers that, in the absence of a response to a request for approval, the request ought to be deemed refused rather than approved, with the dispute resolution provisions applying thereafter to ensure that the proposed works are appropriate. The LLFA considers that a longer period for determination should apply to any request for approval.</p>
Applicant Comment	<p>The Applicant notes the response from the Cambridgeshire authorities. Discussions on the detail of the protective provisions for the benefit of CCC as LLFA are ongoing and the amendments proposed to the protective provisions were received by the Applicant on 17 September 2021. The Applicant is currently considering those amendments and will revert back to CCC on that bases shortly.</p>

Reference Number	Written Representation/Applicant Comment
REP1-048ct	<p>14.3 The following matters are not yet agreed and remain under discussion with the Applicant:</p> <p>14.3.1 CCC is a “relevant body” for the Applicant’s proposed disapplication of section 23 of the Land Drainage Act 1991 by virtue of article 3(2)(d) of the draft DCO (<b>APP-025</b>). CCC is the drainage authority for Hen Brook, Wintringham Brook, Fox Brook, Gallow Brook and West Brook Tributaries as well as any other minor watercourse, ditch, dyke or drain which may be within the boundary of the DCO application. CCC’s consent to the disapplication of section 23 in respect of these watercourses is therefore required in accordance with section 150 of the Planning Act 2008, and CCC has not yet provided that consent.</p> <p>14.3.2 Allocation of responsibility for maintenance of ponds and outfalls. The submitted documentation refers to the ownership of certain assets and the relevant body for ongoing maintenance upon completion of the scheme. This includes features such as the attenuation basins and flow controls which are not necessarily draining the proposed carriageway, but include drainage from other surfaces, such as road realignments, access slips and junctions. Some of the assets are labelled as to be maintained by CCC. It is not clear which function of CCC will be responsible for the maintenance, as the LLFA does not have any responsibility as a maintaining body for assets. A written agreement from other parties has not been provided to indicate other departments, such as the LHA, will take on these assets. The ongoing and future maintenance must be agreed and clearly set out within the submitted information.</p> <p>14.3.3 Allocation of responsibility for obtaining necessary consents. The LLFA is opposed to the disapplication of section 23 of the Land Drainage Act 1991, as there are works which are proposed to major watercourses within the scheme. The watercourses impacted by this scheme are major and have historically been sources of flooding to downstream areas. Within the proposed extent of the new carriageway, there are a number of diversions, culverts, realignments and ‘stopping up’ of watercourses. The LLFA has concerns around the configuration of the watercourse diversions and the proposed culverts on major watercourses such as Wintringham Tributary, Fox Brook and Gallow Brook. The proposed culverts are changing the natural flow of the water by creating sharp bends, which can lead to slowing of water and increased sediment deposition. Due to sensitivity of the watercourses and the downstream impacts of the Scheme, it is important that these works are completed in line with national guidance and best practice with discussion and input from the LLFA.</p> <p>14.3.4 There are concerns with regards to the minimum suggested flow controls from the attenuation basins within the scheme. It is noted that in section 3.3.4 of Appendix 13.3 Drainage Strategy Report (<b>APP-219</b>), the detention basins have been designed using the Qbar runoff rate calculated for their catchments. However, section 3.3.3 recommends the minimum rate of 5 l/s to be applied in any basin where the Qbar rate is below this value to reduce</p>

Reference Number	Written Representation/Applicant Comment
	<p>the risk of blockage to the controls. There are concerns around this as this is high value and potentially much higher than the Qbar equivalent. Using a baseline figure of 5 l/s across the scheme could lead to increased risk of flooding as the peak flows and volumes entering the wider system may be greater than the existing. The LLFA agrees that there is a balance required between minimum flow rates and risk of blockage. However, the LLFA's preference for minimised rates is 2 l/s/ha or 75mm diameter flow controls. This finds a suitable balance between the risk of blockage and minimising the discharge rates from the proposed basins. The LLFA has concerns around the wording proposed within section 3.3.3 as this indicates that the flow controls will be defaulted up to 5 l/s. This should be rephrased with reference to the minimum flow rates of 2 l/s/ha.</p> <p>14.3.5 The submitted surface water treatment is provided primarily through the use of the attenuation basins. It is noted that in areas where there is an increased risk of pollution, such as roundabouts, additional treatment is proposed by means of an interceptor, which is classed as proprietary treatment. The LLFA is opposed to the use of proprietary treatment where this is avoidable, as there is an associated and increased maintenance risk with the proprietary treatment prone to failing if not maintained correctly. This would have adverse pollution risks to the surrounding watercourses. Where possible, the surface water runoff from these areas should be treated by natural means, such as inclusion of reed beds at the inlets of the watercourses. This would reduce the risk of failure and wider pollution issues in the surrounding watercourse networks.</p> <p>14.3.6 It is noted that the groundwater monitoring is ongoing, however there are areas of concern which have not been fully addressed within the submission. There are recorded groundwater levels within the Scheme which may have an impact on the cuttings within the Scheme. The method of management of this is currently being left until the detailed design along the areas impacted within Cambridgeshire due to the limited groundwater within the Till deposits. However, consideration should be provided at this stage to ensure that the dewatering is manageable during construction and into the future.</p>
Applicant Comment	<p>14.3.1 The Applicant acknowledges the Councils' view on the disapplication of section 23 of the Land Drainage Act 1991 and discussions with the Councils in this regard are ongoing to determine whether it would be possible to obtain that consent.</p> <p>The Applicant notes the Councils' comments and where the Applicant drawings have indicated CCC maintenance responsibility for highway drainage SUDs attenuation system such as ponds it is on the basis that the Council's highways authority (LHA) would be responsible for the maintenance of the drainage assets.</p>



Reference Number	Written Representation/Applicant Comment
	<p>The council recommended minimum 75mm diameter flow control is noted and could possibly be applied, where required.</p> <p>The Scheme includes elements where groundwater dewatering is required to facilitate construction. The main elements where dewatering will be required are the cuttings at Barford Road and Alington Hill and the Borrow Pits A and C. Due to the design of the A1 Black Cat Underpass, only limited short-term dewatering will be necessary as the design has been developed to exclude groundwater from the underpass.</p> <p>A Groundwater Risk Assessment is being prepared in discussion with the Environment Agency to assess the likely volumes of groundwater inflow to these Scheme elements; the impact of the dewatering on groundwater and surface water levels and quality; and the need for any mitigation to prevent adverse impacts.</p> <p>In addition, a Construction Dewatering Strategy is being developed by the Applicant which will include a programme of groundwater level and quality monitoring to determine the actual effects of dewatering and whether any identified mitigation measures will be required.</p>
REP1-048cu	<p>14.4 Huntingdonshire's Local Plan to 2036 policy LP5 Flood Risk outlines Huntingdonshire District Council's response to flood risk. The purpose of the policy is to set out Huntingdonshire District Council's approach to ensuring that users and residents of development are not put at an unnecessary risk in relation to flooding. This is especially pertinent in that the Great Ouse valley runs through the district. Paragraph 4.69 makes it clear that the district is projected to have increased susceptibility to climate change and that developments should seek to improve the sustainability of flood reduction assets for now and in the future. Paragraph 4.70 of the LP5 also notes that potential opportunities should be explored including the requirement to enhance flood risk management from the site and improving the sustainability of flood reduction assets that the development may rely upon at present and in the future.</p>
Applicant Comment	<p>The Applicant notes the authority's reference to policy LP5 Flood Risk and enhanced flood risk management and considers the climate change allowances applied to the Scheme watercourse flood risk assessments provide flood risk management resilience.</p> <p>As stated in section 1.3 of the respective main river and ordinary watercourse assessment <b>[APP-221]</b> and <b>[APP-222]</b> the following CCA principals were applied to both types of watercourses, namely:</p> <ul style="list-style-type: none"> <li>Using the 1% Annual Exceedance Probabilities (AEP) design event including the Governments' 2016 'Higher Central' allowance of 35% for the Anglian River Basin.</li> </ul>



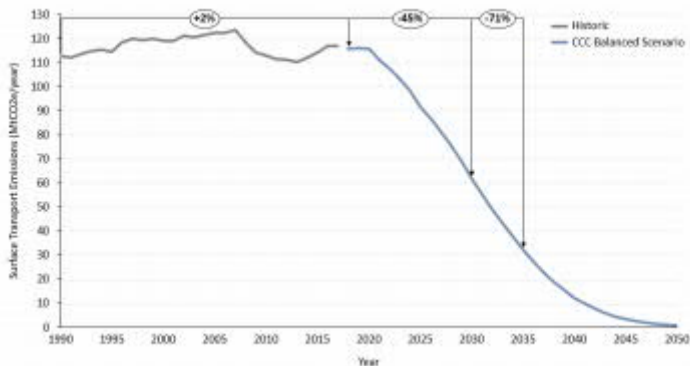
Reference Number	Written Representation/Applicant Comment
	<ul style="list-style-type: none"> <li>Completing sensitivity or worse case modelling using the river basin 'Upper' 65% CCA.</li> <li>Assessing floodplain compensation based on the principal of comparing the baseline maximum flood levels for the 1% AEP + 35% CCA event.</li> </ul> <p>In accordance with the Governments' Guidance Flood Risk Assessments: Climate change allowance, the higher central allowances should be used for essential infrastructure in flood zones 2, 3a and 3b and assesses their off-site impacts and calculation of floodplain storage compensation.</p> <p>Whether flood risk modelling for the Scheme has used either the higher central allowance or the more conservative upper central allowance the flood risk assessment is considered in compliance with the Government guidance requirements for this essential infrastructure.</p> <p>It is also noted that the Environment Agency, as a statutory consultee, uses the management catchment CCA from the peak river flow map as benchmarks. The Governments' peak river flow map, published on 27 July 2021, indicates that the watercourses crossing the Scheme fall within the Upper and Bedford Ouse Management Catchment and that the higher central CCA is now 30%.</p> <p>Current flood risk assessments for the Scheme are therefore considered a robust conservative approach given the reduction in CCA that is now applicable to the Scheme.</p>
REP1-048cv	<p>14.5 Specifically, the National Policy Statement for National Networks requires in paragraphs 5.90 and 5.93 for climate change to be taken into account and that climate change will lead to increased flood risk in areas susceptible to flooding, and to an increased risk of flooding in some areas which are not currently thought of as being at risk.</p>
Applicant Comment	<p>The Applicant notes the response from the Cambridgeshire authorities and climate change allowances used in the application assessment of flood risk have been included within the Flood Risk Assessments <b>[APP-221]</b> <b>[APP- 222]</b> and <b>[APP-025]</b> in accordance with NPSNN.</p>
REP1-048cw	<p>14.6 Taking locally assessed flood risk into account through Huntingdonshire's Local Plan to 2036 and in the context of policy set out in the National Policy Statement for National Networks, it is considered that the Watercourses Technical Note<sup>12</sup> presents outstanding areas of concern that are yet to be addressed. Therefore, further clarification is required on the following issues:</p>

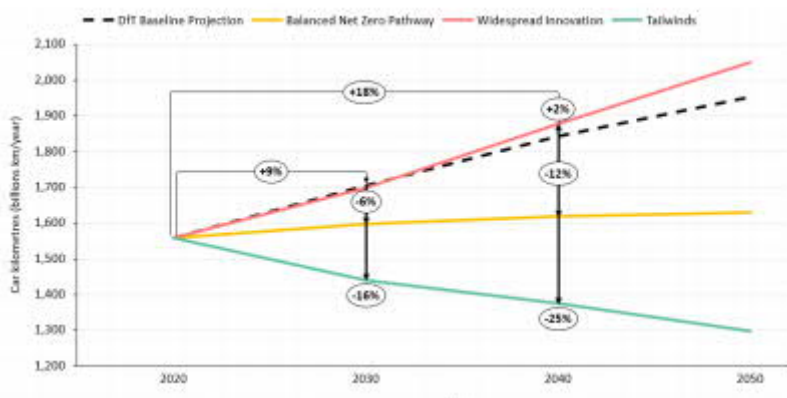
Reference Number	Written Representation/Applicant Comment
	<p>14.6.1 Climate Change Allowances – This is not consistent throughout the mitigation measures proposed in the document. Assessment parameters vary from 1 in 100 year return period storm and a 35% climate change allowance to 65% at other times. Ditches mitigate for a 1 in 100 year return period storm and a 20% climate change allowance and are checked for a 40% climate change allowance. It is considered that all mitigation measures put in place such as overland catchments, ponds and culverts etc. be assessed in the same way. It is suggested that a 1 in 100 year return period storm and a 65% climate change allowance is applied to all mitigation measures; meaning that the requirements for many of the overland catchments, ponds and culverts would need to be amended. The approach to climate change allowances raises concern that lesser allowances could still result in flooding in the future, causing downstream effects and possibly putting agricultural productivity and nearby residential developments at risk.</p> <p>14.6.2 An assessment of the proposed Scheme simulations for Hen Brook notes in paragraph 4.2.8 b of the Watercourses Technical Notes that <i>“There is a small area where the maximum flood depth increases as a result of the Scheme however this is located within the Order Limits, already floods within the baseline scenario; and is located away from sensitive receptors.”</i> It is considered that the Scheme should be striving for betterment in this area in order to reduce or eliminate flood risk. This would enable the development to meet the requirement set out in paragraph 155 of the National Planning Policy Framework which asks that <i>“... Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere”</i> (reference to the NPPF with regard to flood risk is supported through paragraph 5.95 of the National Policy Statement for National Networks). Reducing the flood depth at Hen Brook would meet locally specific mitigation measures such as criterion d of Huntingdonshire's Local Plan policy LP 5 Flood Risk which requires that <i>“all reasonable opportunities to reduce overall flood risk have been considered and where possible taken”</i>. This approach was supported by the Environment Agency as part of the Local Plan examination. There is no evidence currently to demonstrate that the Watercourses Technical Note has investigated all reasonable opportunities to reduce overall flood risk in this particular matter. This approach should also be applied for all aspects relating to Hen Brook especially as a significant amount of mitigation is required.</p> <p>14.6.3 Wintringham Brook Tributary – It is unclear whether alternative measures are to be implemented once the culvert is removed from underneath the farm track as referred to in paragraph 6.2.2 of the Watercourses Technical Note. It is understood that the current culvert restricts flow and can cause flooding, however any remediation should provide improvements and not jeopardise operational efficiency of the agricultural sector and its environs. More information would be required to address these impacts.</p>

Reference Number	Written Representation/Applicant Comment
	<p>14.6.4 Wintringham Brook Tributary – as mentioned in paragraph 6.2.5 of the Watercourses Technical Note the model reach does not include the upstream extended section of the watercourse. Further evidence is needed to demonstrate there are no downstream flooding issues at Wintringham Brook.</p>
Applicant Comment	<p>The Applicant notes that CCA indicated in Technical Note 12 may indicate differences in CCA for main rivers and ordinary watercourses.</p> <p>As stated in section 1.3 of the respective main river and ordinary watercourse assessment <b>[APP-221]</b> and <b>[APP-222]</b> the same CCA principals were applied to both types of watercourses, namely:</p> <ul style="list-style-type: none"> <li>• Using the 1% Annual Exceedance Probabilities (AEP) design event including the Governments' 2016 'Higher Central' allowance of 35% for the Anglian River Basin.</li> <li>• Completing sensitivity or worse case modelling using the river basin 'Upper' 65% CCA.</li> <li>• Assessing floodplain compensation based on the principal of comparing the baseline maximum flood levels for the 1% AEP + 35% CCA event.</li> </ul> <p>In accordance with the Governments' Guidance Flood Risk Assessments: Climate change allowance, the higher central allowances should be used for essential infrastructure in flood zones 2, 3a and 3b and assessments of their off-site impacts and calculation of floodplain storage compensation.</p> <p>Assessing the Scheme for either the higher central allowance or the more conservative upper central allowance is therefore considered in compliance with the Government guidance requirements.</p> <p>It is also noted that the Environment Agency, as a statutory consultee, uses the management catchment CCA from the peak river flow map as benchmarks. The Governments' peak river flow map, published on 27 July 2021, indicates that the watercourses crossing the Scheme fall within the Upper and Bedford Ouse Management Catchment and that the higher central CCA is now 30%.</p> <p>Current assessments for the Scheme are therefore considered a robust conservative approach given the reduction in CCA now applicable to the Scheme.</p> <p>For clarity on Scheme ditches, all overland Scheme cut off ditches, that discharge into watercourses crossing the Scheme, are based on the Government guidance peak rainfall intensity allowances in Table 1 for small catchments (less than 5km<sup>2</sup>) and in accordance with the Design Manual for Roads and Bridges (DMRB) LA 113, CD 522, CG 501 and CD 529.</p>

Reference Number	Written Representation/Applicant Comment
	<p>The Upper end and Central allowances of 40% and 20%, for the total potential change anticipated for the '2080s', were used in accordance with the stated DMRB CG 501 minimum Scheme design lifetime of 60 years.</p> <p>It should be further noted that highway drainage SuDs attenuation features such as ponds have been assessed as highway drainage systems with CCA of 20% and 40% in accordance with DMRB CG501.</p> <p>The assessment for Hen Brook (detailed in Section 10 of the Ordinary Watercourse Hydraulic Modelling Report- <b>[APP-222]</b>) has demonstrated that the Scheme results in no increase in flood risk to third parties and therefore meets the requirements of the NPPF. Figure 10-8 and Table 10-2 of the Report demonstrate that there is no increase in pass on flows downstream, whilst Figure 10-7 shows that there is a net decrease in flood depth immediately upstream/downstream of the Scheme.</p> <p>The small area where an increase in flood depth is shown by the model is within the Order Limits and contains no sensitive receptors. Mitigation measures already included within the Scheme design to prevent increases in flood risk to third parties include a specially designed large mainline culvert to maintain conveyance of the watercourse, high flow culverts to maintain floodplain conveyance in line with existing, along with a large compensatory storage area.</p> <p>It is correct that a pipe/culvert through a headwall, located within the Wintringham Brook Tributary acts as a restriction within the baseline (existing) scenario. In order to ensure that pass on flows are not increased downstream, within the Scheme scenario, a flow restriction has been included within the model. The final flow restriction could be a similar to the existing flow restriction using a pipe within a headwall to mimic the existing culvert. To mitigate any increases in upstream water level and depth, a hydraulic attenuation area has also been included immediately upstream.</p> <p>The assessment for Wintringham Brook Tributary, as detailed in Section 5 of the Ordinary Watercourse Hydraulic Modelling Report <b>[APP-222]</b>, demonstrates that in the Scheme scenario there is no increase in pass on flow downstream, whilst upstream water levels and depths are lower than in the baseline (existing) scenario due to the hydraulic compensation area. These results show that the Scheme design and mitigation prevent any detrimental flood risk impact from the scheme for Wintringham Brook tributary, including to adjacent farmland.</p>
REP1-048cx	14.7 CCC requests further engagement from the Applicant as soon as possible on the design for watercourses and ponds. CCC's preference is for the design to include reed planting instead of treatment plants.
Applicant Comment	The Applicant notes the response from the Cambridgeshire authorities with regards reed planting. Final planting such as reed planting is to be determined during detailed design.

Reference Number	Written Representation/Applicant Comment
	14.8 CCC also considers that further evidence is needed to demonstrate there are no downstream flooding issues at Wintringham Brook and that there has been insufficient consideration of the impact of the Scheme on Hen Brook and Wintringham Brook in terms of biodiversity and water quality
Applicant Comment	The Applicant considers that the assessment for Wintringham Brook Tributary, as detailed in Section 5 of the Ordinary Watercourse Hydraulic Modelling Report <b>[APP-222]</b> , demonstrates that the Scheme results in no increase in pass on flows downstream (figure 5-4). The set-up of the downstream boundary of the model, and responses to previous comments related to interaction of Wintringham Brook and Wintringham Brook Tributary, is justified within section 5.6 of the Ordinary Watercourse Hydraulic Report <b>[APP-222]</b> .
REP1-048cy	14.9 If any changes are made to Scheme design parameters then flood modelling impacts on neighbouring communities will have to be reviewed and updated.
Applicant Comment	The Applicant notes the response from the Cambridgeshire authorities.
REP1-048cz	<p>15. <b>CLIMATE CHANGE</b></p> <p>15.1 The Councils have concerns about the greenhouse gas emissions associated with the Scheme, and the impact of those emissions on the climate. Other matters of particular concern include climate change mitigation measures, planting to offset emissions, sustainable drainage, carbon emissions and active modes of travel.</p> <p><b>Greenhouse gas emissions and impact of the Sixth Carbon Budget</b></p> <p>15.2 In April 2021 the Government announced it had legislated to deliver 78% carbon emissions reductions by 2035 compared to 1990 levels as part of its sixth carbon budget. Although this has not formed part of the significance testing for the Scheme it is noted that the Environment Statement (<b>APP-083</b>), paragraph 14.2.5 was drafted prior to the adoption of the Sixth Carbon Budget by Government. However the Scheme will be in operation during the period covered by that budget, and as such its impacts do need to be considered against it.</p> <p>16. Paragraph 5.16 of the National Policy Statement for National Networks specifically sets out that "The Government has a legally binding framework to cut greenhouse gas emissions by at least 80% by 2050....Emission reductions will be delivered through a system of five year carbon budgets that set a trajectory to 2050. Carbon budgets and plans will include policies to reduce transport emissions, taking into account the impact of the Government's overall programme of new infrastructure as part of that." The Climate Change Act 2008 has now been updated to require</p>

Reference Number	Written Representation/Applicant Comment																														
	<p>net zero carbon by 2050, supported by the Sixth Carbon Budget which was published in December 2020. These targets are enshrined in law and should be used to assess the Scheme as completed<sup>13</sup> . Assessment of the proposed Scheme as set out in the Environmental Statement (APP-083) should take this fully into account to ensure the proposals adequately contribute to meeting the UK's carbon reduction targets. Paragraph 5.5 of the National Policy Statement for National Networks also notes that the geographical extent and distribution of these effects can cover a large area, well beyond an individual scheme. Further analysis of the proposed Scheme against the targets and aspirations of the Sixth Carbon Budget Evidence and justification for action is required extending beyond the project red line boundaries.</p> <p>17. Currently the national carbon emissions impacts that have been assessed are measured against the fourth and fifth carbon budgets which have higher levels of carbon emissions associated with them compared to the 6th carbon budget resulting in a lower carbon impact on the national carbon budgets. The emissions from construction will apply into the fourth carbon budget but the operational emissions will impact into the fifth, sixth and further carbon budgets. The lifetime of much of the CO2 released by the Scheme into the atmosphere will exceed 60 years which means that the correct unit for understanding the impact of the road building scheme is the cumulative emissions over the whole project lifetime as a proportion of a local emission budget. This would then align and be compliant with the Paris Agreement. Figure below shows the surface transport sector has seen a 2% increase in emissions since 1990. This means the transport sector needs to deliver a 45% reduction in emission by 2030 and 71% by 2035, relative to 1990 (47% and 73% respectively compared to today).</p>  <table><caption>Surface Transport Emissions (MtCO<sub>2</sub>e/year)</caption><thead><tr><th>Year</th><th>Historic Emissions (MtCO<sub>2</sub>e/year)</th><th>CCC Balanced Scenario (MtCO<sub>2</sub>e/year)</th></tr></thead><tbody><tr><td>1990</td><td>~115</td><td>-</td></tr><tr><td>2005</td><td>~120</td><td>-</td></tr><tr><td>2015</td><td>~115</td><td>~115</td></tr><tr><td>2020</td><td>~110</td><td>~110</td></tr><tr><td>2030</td><td>~65</td><td>~65</td></tr><tr><td>2035</td><td>~35</td><td>~35</td></tr><tr><td>2040</td><td>~15</td><td>~15</td></tr><tr><td>2045</td><td>~5</td><td>~5</td></tr><tr><td>2050</td><td>~2</td><td>~2</td></tr></tbody></table>	Year	Historic Emissions (MtCO <sub>2</sub> e/year)	CCC Balanced Scenario (MtCO <sub>2</sub> e/year)	1990	~115	-	2005	~120	-	2015	~115	~115	2020	~110	~110	2030	~65	~65	2035	~35	~35	2040	~15	~15	2045	~5	~5	2050	~2	~2
Year	Historic Emissions (MtCO <sub>2</sub> e/year)	CCC Balanced Scenario (MtCO <sub>2</sub> e/year)																													
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2040	~15	~15																													
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2050	~2	~2																													

Reference Number	Written Representation/Applicant Comment
	<p>Figure 4: Surface transport GHG emissions since 1990<sup>14</sup> and CCC baseline emission projections<sup>14</sup>.</p> <p>18. The Committee for Climate Change analysis for the 6th carbon budget (in figure 2 below) shows meeting this level of emissions change in such a short period will require a significant level of behavioural change. Baseline DfT predictions (black dashed line) for car demand show continued growth (9% by 2030 and 18% by 2040) following past trends driven by increased population and economic activity. The baseline CCC trajectory (yellow line) (used for recommendations and policy setting) shows that these changes are not consistent with meeting net-zero and that the majority of all future growth must be displaced by trip avoidance and modal shift in order to meet existing UK Government climate targets.</p>  <p>Figure 5: CCC car traffic volume change in each net zero scenario<sup>14</sup> compared to the DfT baseline<sup>15</sup>.</p> <p>18.1 Reference is made in the ES to the emissions associated with the operational phase only representing less than 0.117% of the total emissions allowed for in the budget period. While these emissions appear small when presented against a national budget, they still represent an increase in emissions. Most importantly these carbon emissions will add to current emissions. It is important to note that the existential costs associated with these emissions for example extracting emissions from the atmosphere to deliver against our legislative target and costs associated with the wider ongoing societal impacts of climate change are not evaluated. The Committee on Climate Change, in their recent June 2021 progress report to parliament have noted that “decisions on investment in roads should be contingent on analysis justifying how they contribute to the UK’s pathway to Net Zero. This analysis should demonstrate that the proposals would not lead to increases in overall emissions. Wherever possible,</p>



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	<p>investment in roads should be accompanied by proportionate investment in EV charging infrastructure and in active travel and public transport.” As such the Councils consider that it would be prudent for the assessment of significant effects of the Scheme to be updated to include the Sixth Carbon budget, and for the ES or associated documents to be clear on measures that may be required to offset any residual emissions.</p>
Applicant Comment	<p>The Applicant notes the response from the Cambridgeshire Authorities.</p> <p>An assessment of GHG emissions from the Scheme in the context of the 6<sup>th</sup> carbon budget has been undertaken and is presented in the Applicant's Response to Examining Authority's First Round Written Questions, question 1.4.1.1d <b>[REP1-022]</b>. In summary the assessment against the 6<sup>th</sup> carbon budget concluded that emissions from the Scheme during the 6<sup>th</sup> carbon budget period (2032 to 2037) would equate to 226,637tCO<sub>2</sub>e, representing 0.024% of the total 6<sup>th</sup> carbon budget. On this basis the Scheme is not considered to have a material impact on the UK Government meeting its carbon reduction targets.</p> <p>As stated in the Applicant's Response to Examining Authority's First Round Written Questions, question 1.1.1.1 <b>[REP1-022]</b>, GHG emissions from road users presented in Chapter 14, Climate of the Environmental Statement <b>[APP-083]</b> have been calculated using the DMRB calculator which is based on the Defra Emissions Factors Toolkit (EFT) along with the outputs of traffic modelling for the Scheme. This approach does not currently factor in the impact of recent government policy presented in the Transport Decarbonisation Plan (TDP), published in July 2021. The EFT used to calculate road user emissions only accounts for traffic fleet projections to 2030 and therefore no consideration has been given in the model to the targets presented in the TDP such as the end of the sale of new petrol and diesel cars by 2030 and the associated uptake of electric vehicles. This means that the GHG emissions from road users presented in the Environmental Statement represent a conservative estimate of carbon emissions. Road user emissions from the Scheme are anticipated to reduce in line with the targets and commitments presented in the TDP.</p> <p>The consideration of the cumulative effects of the Scheme with other existing and/or approved projects is inherent within the methodology followed in the Environmental Statement through the inclusion of the Scheme and other locally committed developments within the traffic model and the Transport Assessment <b>[APP-241]</b>. UK Carbon Budgets, used to put emissions from the Scheme into context, are inherently cumulative as they consider emissions across all sectors of the economy.</p> <p>It was held in the recent case of R (Transport Action Network Limited) v Secretary of State for Transport and Highways England Company Limited (2021) EWHC 2095 (Admin) that in relation to the judgment reached regarding the entirety of the carbon emissions from all schemes within RIS 2.</p>

Reference Number	Written Representation/Applicant Comment
	<p><i>"I see no reason to question the judgment reached by the DfT that the various measures of carbon emissions from RIS 2 were legally insignificant, or de minimis, when related to appropriate comparators for assessing the effect on climate change objectives."</i> (paragraph 159)</p> <p>Therefore, the High Court has concluded that the total amount of carbon emissions from the Schemes listed in RIS2 programme is legally insignificant in the context of appropriate comparators for assessing the effect on climate change objectives.</p> <p>Accordingly, National Highways do not consider that GHG emissions on account of this Scheme, including on a cumulative basis, is likely to have any significant effect on climate or the UK's ability to comply with its carbon budgets. In addition, cumulative emissions are taken into consideration both during the calculation of construction emissions and through the traffic model used as the basis for calculating road user emissions.</p> <p>The Applicant notes the comments from the Cambridgeshire authorities with regard to providing further details on construction GHG emissions and GHG mitigation measures and will include this information in the next iteration of the EMP.</p>
REP1-048da	<p>18.2 The Councils support the wide range of climate change mitigation measures (as set out in the Environmental Statement, <b>APP-083</b>) embedded in the construction programme for the A428 to provide resilience for the Scheme against anticipated conditions as well as to minimise the direct impact of construction works. It is noted that many of the construction stage impacts will be short-term but nevertheless emissions will occur. However, every effort should be made to avoid detrimental impacts, particularly those likely to increase greenhouse gas emissions, before emphasis is placed on then mitigating those remaining. With this in mind the Councils would welcome greater detail on how the assessment of construction stage emissions has been reached. Table 14-9 (Environment Statement, <b>APP-083</b>, page 24) includes a breakdown of emissions by construction activity. At 11,600 tCO<sub>2</sub>e per km of road, it is noted that the calculation of emissions associated with the Scheme fall below the average benchmark of 19,090 t CO<sub>2</sub>e to 35,900 tCO<sub>2</sub>e per km of road (APP-083, paragraphs 14.7-8), which is to be welcomed. However, in the absence of any further detail as to how this has been achieved it is difficult to verify the figures included in the ES. The Councils recognise that this is a level of detail that is yet to be included in the first iteration of the EMP (<b>APP-234</b>) and would recommend that the next iteration includes further detail and commitments to the measures that will be taken to reduce the embodied carbon associated with materials used for the construction of the Scheme in order that the figures referenced in the ES can be achieved. In addition, it is imperative that the quality of construction materials used is not diminished for short-term cost savings and that the materials selected have demonstrable suitability for tolerance to higher and rapidly fluctuating temperatures. Notwithstanding, the</p>

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	request for further information, the Councils would like to voice their support for the re-use of materials arising from demolition of the existing infrastructure and maximisation of sourcing construction materials from local borrow pits to minimise the emissions from lorry movements transporting materials in the construction phase.
Applicant Comment	<p>The Applicant notes the comments from the Cambridgeshire Authorities with regard to providing further details on construction GHG mitigation measures and will include this information in the next iteration of the EMP.</p> <p>It would not be appropriate to provide a detailed carbon footprint in the next iteration of the EMP. The Applicant can commit to providing a Technical Note providing a detailed breakdown of construction carbon emissions for Deadline 4.</p>
REP1-048db	<p>18.3 The Councils would support planting of native and climate resilient species to offset emissions associated with both the land use change and subsequent operation of the road scheme as set out in the Environmental Statement (<b>APP-077</b>). The methodology used to calculate the anticipated biodiversity net gain of 20.5% (<b>APP-077</b>, paragraph 8.10.2) gives significant concern and recalculation should be undertaken using the DEFRA Metric 2.0 or 3.0 to ensure a 20% biodiversity net gain can be effectively delivered. Opportunities should be further explored to maximise the potential contributions to the priority schemes within Natural Cambridgeshire's 'doubling nature' aspirations which are supported by the Councils.</p>
Applicant Comment	<p>The Applicant has responded to the Interested Parties' queries as set out within the Applicant's Response to Relevant Representations [<b>REP1-021</b>] submitted at Deadline 1. Responses RR-013b, RR-048b and RR-100b cover the points regarding Biodiversity Net Gain (BNG) and the undertaking to calculate biodiversity net gain using the revised Defra 2.0 Metric. This document is submitted at Deadline 3 [<b>TR010044/EXAM/9.25</b>].</p>
REP1-048dc	<p><b>Points for clarification</b></p> <p>18.4 The Councils consider that the following topics need to be considered further in the assessment:</p> <p>18.4.1 Clarity is needed on conflicts within the documents (for example, whether EV are included in the assessment). Paragraph 14.3.33 of the ES (<b>APP-083</b>) notes that the uptake of lower carbon fuels, electric vehicles and increased vehicle technology are only partially accounted for within the assessment of operational greenhouse gas emissions. Elsewhere in the ES however, the report seems to indicate that emissions reductions from technological advancements and decarbonisation have not been taken into account at all, for example at paragraph 14.6.6. It would be useful to have clarification as to the extent to which technological advancements and the decarbonisation of transport has been taken into account. While we recognise that such advancements are likely to reduce the</p>

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	<p>operational emissions associated with the Scheme, we would recommend that a precautionary approach to such advancements is taken for the purposes of the ES.</p> <p>18.4.2 Linked to this, the Councils note that for the operational phase of the scheme the changing levels of greenhouse gas (GHG) emissions from vehicles moving from petrol/ diesel power to electric is only taken into account up to 2030 and then assumed to remain constant in the modelling undertaken as set out in the Environmental Statement (<b>APP-083</b>, paragraphs 14.9.13-14). Given national policy relating to the phasing out of petrol/ diesel car sales and promotion of electric and other non-fossil fuel based power sources it is noted that the GHG emissions quoted are expected to be the worst case scenario. It is recognised that the Scheme is expected to increase overall GHG emissions once fully operational due to the increase in vehicular miles but that this may be less than anticipated as a result of changing vehicle fuel sources.</p>
Applicant Comment	Please see response to points 15 to 18.3 above.
REP1-048dd	<p>18.4.3 The Councils are also mindful that such advancements should not be to the detriment of measures to reduce private vehicle trips, for example investment in sustainable transport modes and active modes of travel. All opportunities to promote and incorporate facilities for active modes of travel should be maximised both to reduce the need for vehicular travel, reduce vehicle greenhouse gas emissions and to promote public health and wellbeing. The National Policy Statement for National Networks sets out that 'Across Government, policies are being implemented and considered which encourage sustainable transport modes including public transport, significant improvements to rail capacity and quality, cycling and walking. (page 14). Further, paragraph 3.17 states that 'There is a direct role for the national road network to play in helping pedestrians and cyclists. The Government expects applicants to use reasonable endeavours to address the needs of cyclists and pedestrians in the design of new schemes,' and that applicants should also provide evidence that they have considered reasonable opportunities to deliver environmental and social benefits as part of schemes (paragraph 3.3). In July 2020 the government published 'Gear Change: a bold vision for cycling and walking' described as their most ambitious plan yet to boost these modes of travel for 2020-25. Incorporation of comprehensive NMU route links alongside the DCO scheme would make a significant contribution to delivering this locally. 16 This approach is currently not included within the scheme design (2.6 - Streets, Rights of Way and Access Plans (<b>APP-013</b>)). It is also recommended that the Applicant ensures that suitable routes for nonmotorised forms of transport are provided in close proximity to the route where they do not currently exist to ensure that NMU journeys can be made along the entire length of the DCO route where users wish to. Further detailed representations related to NMUs are included within section 6 of this written representation.</p>

Reference Number	Written Representation/Applicant Comment
Applicant Comment	<p>The Scheme is required to address the increasingly congested Strategic Road Network at Black Cat junction and on the single carriageway section of the A428 west of Caxton Gibbet. The Scheme is required to create additional capacity, improve safety, alleviate congestion, and reduce journey times in order to remove barriers to planned economic growth and improve the connectivity of communities in the area.</p> <p>While the Scheme is considered the only viable option to addressing the current and future problems, the Applicant recognises there are opportunities to improve sustainable travel. The Transport Assessment <b>[APP-241]</b> provides an overview of the provision for travel by sustainable modes of transport in the vicinity of the Scheme, including public transport options. The report identifies the current type and quality of provision and describes the accessibility afforded by and impact of the Scheme on local sustainable modes of transport.</p>
REP1-048de	<p>18.4.4 As part of the Councils' comments on the Scoping Report, the need for consideration of climate resilience to include not just impacts on the asset itself, but also on communities adjacent to the asset was raised. This was particularly in reference to the consideration of flood risk, and the Councils would have expected to see this covered in the climate change section of the ES (<b>APP-083</b>), or at the very least, for the climate section to include clear links to consideration of this issue as part of other sections of the ES.</p>
Applicant Comment	<p>Chapter 14, Climate <b>[APP-083]</b> of the Environmental Statement presents the results of an In-combination Climate Change Impacts (ICCI) undertaken for the Scheme. The ICCI assessment considered the combined impact of climate change and the Scheme on receptors in the surrounding environment. As presented in Table 14-13 of the Climate Chapter potential ICCI impacts were considered on 1) Human Health i.e. Increased temperatures or precipitation may affect people's travel choices. Warmer temperatures may lead to more cycling/ walking and more rain may lead to the opposite for short local trips; and, increased frequency and severity of drought events may adversely affect magnitude and duration of dust generation during construction and 2) on landscaping i.e. the impact of natural aesthetics to the Scheme could be exacerbated by increased frequency and severity of drought events, which may adversely affect flora, fauna, and water features affecting loss of environmental features, and disruption of field pattern; the aesthetic changes to landscape character caused by the Scheme could be exacerbated by increased temperature and frequency and severity of heat waves, which may lead to increased frequency of forest/ grass fires. This may result in loss of trees and biodiversity.</p> <p>The combined impact of climate change and flood risk to receptors in the local environment was considered in the Flood Risk Assessment <b>[APP-220]</b>. Paragraph 10.5.1 of that document states that there will be no significant increase in fluvial risk to neighbouring land uses, or any increase in surface water runoff, as a result of the Scheme.</p>

Reference Number	Written Representation/Applicant Comment
	<p>As detailed within Chapter 14, embedded mitigations to reduce the likelihood or severity of flooding include:</p> <ul style="list-style-type: none"> <li>• The incorporation of Sustainable Drainage Systems (SuDS) in line with DMRB standards to handle road runoff and provide resilience against potential future flood events associated with climate change.</li> <li>• Use of attenuation features to detain runoff from all events expected to occur with 1% annual probability or more frequently.</li> <li>• Implementation of emergency systems and response plans, including the identification of suitable network redundancies and diversion routes, to respond to severe weather events, would further increase the resilience of the Scheme to extreme weather conditions.</li> <li>• Scheme design includes flood storage areas at which take appropriate account of climate change.</li> </ul> <p>As detailed in Chapter 13, Road Drainage and the Water Environment <b>[APP-082]</b>, the attenuation features have been designed to control the rate of surface water flow towards the receiving watercourses resulting from increased impermeable road areas for events up to 1 in 100 years including 40% climate change allowance.</p>
REP1-048df	<p>18.4.5 Chapter 13 the ES (<b>APP-082</b>) and associated Flood Risk Assessment (<b>APP-220</b>), gives consideration to flood risk to others. This approach is welcomed and goes some way to address our concerns, although it is noted that the LLFA have requested further evidence to demonstrate that there are no downstream flooding issues at Wintringham Brook, and the need to update flood modelling impact on neighbouring communities in light of any changes that may be made to the scheme.</p>
Applicant Comment	<p>The Applicant considers that the assessment for Wintringham Brook Tributary, as detailed in Section 5 of the Ordinary Watercourse Hydraulic Modelling Report <b>[APP-222]</b>, demonstrates that the Scheme results in no increase in pass on flows downstream (figure 5-4). The set-up of the downstream boundary of the model, and responses to previous comments related to interaction of Wintringham Brook and Winingham Brook Tributary, is justified within section 5.6 of the Ordinary Watercourse Hydraulic Report <b>[APP-222]</b>.</p>
REP1-048dg	<p>18.4.6 The cumulative impact and relationship of the Scheme with East West Rail / other projects also requires clarification and discussion. While the Councils recognise that schemes are at different stages of development, from a climate perspective, and notably in relation to carbon budgets, it is considered important that the cumulative impacts of these significant infrastructure projects in the area are taken into account. In particular, reducing the construction stage impacts of these projects will become increasingly important as decarbonisation and alternative technologies</p>



Reference Number	Written Representation/Applicant Comment
	<p>reduce some of the operational impacts, giving consideration to the embodied carbon associated with such projects. The Councils require confirmation from the Applicant as to how this is being taken into consideration as part of the development of infrastructure plans, and whether there will be any opportunity to update the cumulative impact assessment once greater detail on East West Rail is known.</p>
Applicant Comment	<p>The Applicant has responded to the Interested Parties queries within the Response RR-23a of Applicant's Response to Relevant Representations <b>[REP1-021]</b> submitted at Deadline 1.</p>
REP1-048dh	<p>18.4.7 The Councils wish to raise the following additional matters:</p> <ul style="list-style-type: none"> <li>(a) Sustainable Drainage Systems (SuDs) – the Councils note and support the use of SuDs to handle road runoff on the Highways England network (as set out in the Environmental Statement, APP-083, criterion f, page 22) and urge careful consideration of design specifications to ensure that these provide maximum resilience against potential future flood events throughout the anticipated lifespan of the scheme). The use of UKCP18 data with temperatures and precipitation rates at 50% probability is noted (<b>APP-083</b>, paragraphs 14.9.13-16.9), however clarity is required as to whether this is a reasonable approach and how this ties in with mitigation and climate change allowances as identified in the Watercourses Technical Note. It may be that the mitigation measures addressed here and in the Watercourses Technical note should be reflective of each other so that a standard approach is taken across the scheme. With this in mind, permeability of surrounding surfaces should be maximised to reduce the risk of flash flooding from extreme rain events which may have significant socio-economic impacts if the road were to become impassable and may surpass the levels anticipated. Projected changes to precipitation rates identified in the Environmental Statement Appendix 14.1 (<b>APP-227</b>, paragraph 1.26 and Tables 1-3 and 1-4) indicate a significant level of volatility in long term forecasts and all possible opportunities should be taken to maximise amelioration of the potential impacts of water loss/ evaporation at one end of the impacts and flash flooding at the other through use of permeable surfaces and water retentive planting. It is therefore suggested that the scheme maximises permeable surfaces in proximity to the road carriageway as a priority, particularly where the route crosses existing waterways. This would assist the project in addressing the issues set out in the National Policy Statement for National Networks which notes through paragraphs 5.90 and 5.93 that climate change should be taken into account and that climate change will lead to increased flood risk in areas susceptible to flooding, and to an increased risk of flooding in some areas which are not currently thought of as being at risk.</li> </ul>



Reference Number	Written Representation/Applicant Comment
Applicant Comment	<p>The Applicant notes the Cambridgeshire authorities comments on the use of SuDs.</p> <p>The Applicant notes that Climate Change Allowances (CCA) indicated in the assessment documents may indicate differences. As stated in section 1.3 of the respective main river and ordinary watercourse assessment <b>[APP-221]</b> and <b>[APP-222]</b> the same CCA principals were applied to watercourses, namely:</p> <ul style="list-style-type: none"> <li>• Using the 1% Annual Exceedance Probabilities (AEP) design event including the Governments' 2016 'Higher Central' allowance of 35% for the Anglian River Basin.</li> <li>• Completing sensitivity or worse case modelling using the river basin 'Upper' 65% CCA.</li> <li>• Assessing floodplain compensation based on the principal of comparing the baseline maximum flood levels for the 1% AEP + 35% CCA event.</li> </ul> <p>In accordance with the Governments' Guidance Flood Risk Assessments: climate change allowance, the higher central allowances should be used for essential infrastructure in flood zones 2, 3a and 3b and assessments of their off-site impacts and calculation of floodplain storage compensation.</p> <p>Assessing the Scheme for either the higher central allowance or the more conservative upper central allowance is therefore considered in compliance with the Government guidance requirements.</p> <p>It is also noted that the Environment Agency, as a statutory consultee, uses the management catchment CCA from the peak river flow map as benchmarks. The Governments' peak river flow map, published on 27 July 2021, indicates that the watercourses crossing the Scheme fall within the Upper and Bedford Ouse Management Catchment and that the higher central CCA is now 30%.</p> <p>Current assessments for the Scheme are therefore considered a robust conservative approach given the reduction in CCA now applicable to the Scheme.</p> <p>For clarity on Scheme ditches, all overland Scheme cut off ditches, that discharge into watercourses crossing the Scheme, are based on the Government guidance peak rainfall intensity allowances in Table 1 for small catchments (less than 5km<sup>2</sup>) and in accordance with the Design Manual for Roads and Bridges (DMRB) LA 113, CD 522, CG 501 and CD 529. The Upper end and Central allowances of 40% and 20%, for the total potential change anticipated for the '2080s', were used in accordance with the stated DMRB CG 501 minimum Scheme design lifetime of 60 years.</p>

Reference Number	Written Representation/Applicant Comment
	It should be further noted that highway drainage SuDs attenuation features such as ponds have been assessed as highway drainage systems with CCA of 20% and 40% in accordance with DMRB CG501.
REP1-048di	<p>19. <b>DIGITAL CONNECTIVITY</b></p> <p>19.1 The Applicant should be required to make passive provision for the installation of a fast fibre broadband connectivity backbone along the length of the corridor to support digital connectivity policy goals.</p>
Applicant Comment	The installation of fibre cables does not form part of the application for development consent as it does not support the construction of the Scheme and it is not required to help address its impacts. As such it would not meet the definition of associated development in section 115(2) of the Planning Act 2008 or as set out in relevant Guidance and is not appropriate to include in the DCO application.
REP1-048dk	<p>20. <b>CONCLUSION</b></p> <p>20.1 The Councils remain strongly supportive of the Scheme in principle, subject to the satisfactory resolution of the concerns raised in this written representation.</p> <p>20.2 As the Examination progresses, the Councils hope to be able to supplement these representations following the provision by the Applicant of the information requested.</p>
Applicant Comment	The Applicant notes the response from the Cambridgeshire authorities and welcomes their strong support in principle for the Scheme, subject to satisfactory resolution of their concerns raised in their written representation.

## REP1-055 Freeths LLP on behalf of Central Bedfordshire Council

Reference Number	Summary of Written Representation/Applicant Response
REP1-055a	<p><b>3 Construction Phase Impacts</b></p> <p>3.1 The National Policy Statement (NPS) for National Networks contains the following relevant policies:</p> <ul style="list-style-type: none"> <li>5.211 The Examining Authority and the Secretary of State should give due consideration to impacts on local transport networks and policies set out in Local Plans, for example, policies on demand management being undertaken at a local level.</li> </ul> <p>3.2 The scheme itself, due to the scale and complexity of works involved, is expected to take a considerable period of time to fully construct, with a works programme extending to 45 months. As such, whilst construction phase impacts will be temporary, the duration is such that they will have a considerable impact upon local roads, the travelling public and the local communities which they pass through, in their own right.</p> <p>3.3 Section 9.4 of the submitted Transport Assessment (TA) (<b>APP-241</b>) provides an overview of construction phase traffic impacts, with a summary of forecast flow changes over a 12 hour period provided in figures 9.2 to 9.8. Following a request from CBC subsequent and more detailed construction phase flow plots were provided by HE, which forecast significant daily increases in traffic on a number of east-west routes, as traffic is predicted to be displaced from the existing A428 during the proposed works. Whilst not exhaustive these impacts include 12 hour increases of circa 1,069 vehicles through Blunham (during Phase 1 of the works), increases of circa 934 through Moggerhanger (during Phase 4 of the works), and increases in the order of 800 additional 12-hour movements through parts of Sandy, Potton and Gamlingay (during Phase 4 of the works). Lower but still substantial increases are also forecast elsewhere within the CBC network (see figures 9.2 to 9.8 in the TA, Document 7.2 (<b>APP-241</b>)).</p> <p>3.4 Whilst it is accepted that some displacement of traffic will inevitably take place as works progress, there are constraints on a number of the routes within the authority area which make them unsuited to accommodating significant changes in traffic flow and/or composition. For example, Blunham, which is predicted to experience some of the highest increases in flow, contains weight restricted bridges where traffic is limited to single lane working over a distance of approximately 70m, and is unsuited to taking heavy traffic.</p> <p>3.5 The likelihood is that the displacement of traffic onto local roads will therefore result in considerable and ongoing local concerns, resulting in a significant increase in the resource required from CBC to monitor and manage the effects of this displaced traffic, including local liaison. This would include monitoring not only</p>

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	<p>increases in overall traffic (and the associated increase in safety concerns when using lower specification local roads), but also monitoring and enforcing against HGV traffic using inappropriate routes.</p> <p>3.6 The detailed wider effects of these increases in flow are not fully known at this stage, and it is appreciated that the transport work cannot extend to individually cover each link and junction impacted by displaced traffic, however it is the view of CBC that, due to the expected duration and extent of these traffic impacts, an appropriate fund and contained in the Development Consent Obligation should be allocated and payable to CBC for addressing resulting safety, capacity, or amenity issues. CBC would welcome a discussion with HE over the amount of this fund.</p> <p>3.7 In addition to the fund detailed. It is also our position that, due to the considerable amount of monitoring, management and local liaison that will be required throughout the construction period, that funding is put in place in the Development Consent Obligation or secured in some other manner in connection with the DCO payable to CBC to cover the following for the duration of the construction works (and a subsequent reasonable period post completion to carry out any post construction monitoring):</p> <ul style="list-style-type: none"> <li>• A CBC officer with specific responsibility for monitoring, addressing, and managing local impacts, including local liaison.</li> <li>• CCTV and / or ANPR coverage for impacted routes to enable and support monitoring and enforcement.</li> <li>• Temporary and / or permanent signage.</li> </ul> <p>3.8 Whilst reference is made to the provision of signage (para. 3.15) and CCTV and temporary speed cameras (para. 3.16.7) within the Outline Construction Traffic Management Plan (OCTMP) (Document 7.4 (APP-244)), this is with regards to the routes subject to traffic management and therefore would not address the monitoring of the wider displaced traffic. CBC would welcome a discussion with HE over the level of funding and the mechanism to secure it required to support the above measures. As per Section 59 of the Highways Act 1980, Central Bedfordshire Council may also seek to recover expenses from Highways England for the diversion of extraordinary traffic onto local roads or the use of CBC roads for extraordinary construction traffic.</p>
Applicant Response	The Applicant has prepared a Joint Position Statement [TR010044/EXAM/9.29] with Central Bedfordshire Council on these matters which has been submitted at Deadline 3.

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REP1-055b	<p><b>4. Construction Routing</b></p> <p>4.1 The National Policy Statement (NPS) for National Networks contains the following relevant policies:</p> <ul style="list-style-type: none"> <li>5.211 The Examining Authority and the Secretary of State should give due consideration to impacts on local transport networks and policies set out in Local Plans, for example, policies on demand management being undertaken at a local level.</li> </ul> <p>4.2 The outline construction traffic management plan identifies the route to the east of Tempsford as a permitted construction traffic route (with restrictions), allowing for construction traffic associated with the eastern abutment to the proposed rail bridge, along with associated works and utility diversions (see Appendix C, Document 7.4 (<b>APP-244</b>)). It is noted that the same route was proposed for the forming of a compound for the archaeological survey and excavation of the site under planning permission ref. CB/20/04083 for the Temporary change of use and forming of site compound comprising site offices, welfare facilities and off-road parking with associated works (a copy of the related permission is provided as Appendix 3). However, at that time Central Bedfordshire determined that any permission should be related purely to the archaeological survey elements of the A428 scheme due to the standard of the associated access route and local concerns over traffic impacts. This was addressed in condition 3 of the permission, which stated that: 'The temporary access road hereby permitted shall only be used by traffic in connection with the required archaeological investigation and for no other purpose, including any works associated with the A428 improvement Scheme (Black Cat to Caxton Gibbet).'</p> <p>4.3 Within Tempsford, the available carriageway width varies, with narrower sections being in the order of 5.2m, with on street parking reducing the usable width to approximately 3.0m. Further to the east, outside of the confines of the village, the road narrows to approximately 4.0m with limited formal passing opportunity.</p> <p>4.4 CBC remains of the view that Station Road is not suited to accommodating significant construction traffic or extraordinary loads, with sections of narrow and poor condition carriageway, on street parking further limiting available carriageway widths through Tempsford, and a level crossing to negotiate. As such, CBC requests that consideration is given to restricting the use of Station Road by larger vehicles, with the preferred option being for construction access to the works associated with the East Coast Rail Bridge and the utilities diversion works to be via an extension of the works required to deliver the section of the A428 to the immediate east, as detailed in works plan regulation 5(2)(j) Sheet 4 (Document 2.3 works plans part 2 (<b>APP-010</b>)). CBC requests that this is addressed in connection with the DCO (whether as a DCO requirement,</p>

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	incorporated documents listed in Schedule 2 or some other mechanism). CBC would welcome discussion with HE.
Applicant Response	The Applicant stated in the responses to submissions made at the Open Floor Hearing 1 <b>[REP1-036]</b> that access for construction vehicles along Station Road through Tempsford would be limited to specific elements of work including the gas main diversion works and construction of the east abutment of the East Coast Main Line Railway; both of which are early activities. This route is already being used for access to archaeological clearance works and is a minor route which will only be used for the early activities. Once these specific elements of work are completed, it will then become a prohibited route for construction traffic.
REP1-055c	<p><b>5 Diversion Routes</b></p> <p>5.1 The National Policy Statement (NPS) for National Networks contains the following relevant policies:</p> <ul style="list-style-type: none"> <li>5.211 The Examining Authority and the Secretary of State should give due consideration to impacts on local transport networks and policies set out in Local Plans, for example, policies on demand management being undertaken at a local level.</li> </ul> <p>5.2 In addition to the expected increases in traffic identified within the Transport Assessment during the four modelled construction phases, the A603, west of the A1 is also identified within the Outline Construction Management Plan as being a signed diversion route when the A1 north of Sandy is closed to traffic (see Appendix D, Document 7.4 (<b>APP-244</b>)). This route has a recognised road traffic collision history which may be exacerbated by increased flows, with the 1.2km section between Hatch Road and the centre of Moggerhanger having 12 recorded injury collisions, including 4 serious injury collisions, within the most recently available 5 years' data. The initial junction onto the A603 from Vinegar Hill is also known to be difficult for right turners, which will be the predominant flow for diverted northbound traffic. As such temporary or permanent signal control or other works are expected to be required to regulate traffic flows. As this junction is outside the confines of the DCO CBC would welcome a discussion with HE to agree an appropriate contribution to deliver these works as part of the Development Consent Obligation or a highways agreement.</p> <p>5.3 The diversion route for the Wyboston to Black Cat junction is considerable, and the expectation is that traffic travelling between the A1 and the A428 will instead select to route via Barford Road rather than following the diversionary route. As such further consideration should be given to the monitoring of the related diversion and / or the split between diversionary signage for local and longer distance traffic. It is also noted that there</p>

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	<p>are proposals for a haul road crossing on Barford Road, (para. 3.2.3 of the OCTMP (<b>APP-244</b>)). The timing of any closures and any associated diversions should also be considered in the context of the proposed works to Barford Road itself to ensure no conflict between the two.</p> <p>5.4 CBC would welcome discussion with HE on measures to mitigate such traffic and safety impacts of diversion routes and incorporating them into the DCO requirements (or incorporated documents listed in Schedule 2).</p>
Applicant Response	<p>5.1 The Case for the Scheme [<b>APP-240</b>], in Appendix A, provides the Applicant's NPSNN Accordance Table. It explains in Row 5.203-5.205 that the five host authorities were all consulted throughout the design development process of the Scheme, and in relation to the assessment of transport impacts. It explains that the Scheme generally aligns and conforms to a number of local transport policy documents at a strategic level. It also explains that the assessment of traffic impacts has been conducted and the results are presented in the Transport Assessment Report Part 1 (TA) [<b>APP-241</b>]. NPSNN paragraph 5.211 is specifically directed at the Examining Authority and the Secretary of State.</p> <p>5.2 The diversion using the A603 is one of the agreed diversion routes that National Highways uses when maintenance is required on the A1. The use of the diversion during the Scheme is likely to be at weekends and/or overnight. Further discussions are welcome and the traffic collision data can be reviewed to fairly determine if the incidents that have occurred are as a result of increased traffic during closures of the A1 and what mitigation measures may be necessary during closures for inclusion in the Outline Construction Traffic Management Plan [<b>APP-244</b>].</p> <p>5.3 The diversion for the Wyboston to Black Cat closures is one of the agreed diversion routes that National Highways use when maintenance is required on the A1. The suggestion to consider monitoring of the diversion and potentially designing the diversionary signage for local and longer distance traffic using the main diversion and a local diversion via Barford Road is noted and the Applicant would welcome further discussions to determine suitable measures that can be included in the Outline Construction Traffic Management Plan [<b>APP-244</b>]. The potential for conflict between the haul road crossing on Barford Road and its use as a local diversion route is noted and this will be taken into account as needed in revisions to the Outline Construction Traffic Management Plan [<b>APP-244</b>].</p> <p>5.4 The Applicant notes that CBC would welcome discussion on measures to mitigate such traffic and safety impacts of diversion routes and agrees.</p>



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REP1-055d	<p><b>6 Operational Phase Impacts</b></p> <p>6.1 The National Policy Statement (NPS) for National Networks contains the following relevant policies:</p> <ul style="list-style-type: none"> <li>5.211 The Examining Authority and the Secretary of State should give due consideration to impacts on local transport networks and policies set out in Local Plans, for example, policies on demand management being undertaken at a local level.</li> </ul> <p>6.2 Strategic modelling identifies predicted impacts within Central Bedfordshire following completion of the scheme, in both the 2025 and 2040 forecast years.</p> <p>6.3 When considering links within the authority area, the operational phase impacts of the scheme are largely positive and welcomed, with predicted daily reduced levels of traffic (when compared to the 'Do-Nothing' scenario), on the majority of local roads, including those passing through Blunham, Moggerhanger, Biggleswade, Everton, Potton, Gamlingay, Sutton, and Wrestlingworth.</p> <p>6.4 However, there are a number of exceptions to this, as detailed within the submitted Transport Assessment Annex, largely related to expected increases in flow on the A1 and A421, south of the scheme (Sections 3.18 to 3.21, Document 7.3 (<b>APP-243</b>)).</p> <p>6.5 In terms of any increase in flows on the A1, the Council is concerned that a solution to mitigate additional pressure on this key route is not being put forward, with the areas of the A1 impacted falling outside of the confines of the DCO application. As HE will be aware, the capacity of the A1 is something that has been identified as a concern for some time. It is already at capacity and there is a need for realignment or an alternative (but significant) solution to be found and funded.</p> <p>6.6 This was recognised in the Highways England 'A1 East of England Strategic Study Report' (provided as Appendix 4) which had the stated aim of looking 'at the case for improving the nonmotorway section linking the two parts of the A1(M) to motorway standard', which specifically covers the section of the route within CBC.</p> <p>6.7 This report rated all of the at-grade roundabout junctions within the CBC authority area as Red (poor conditions), when assessing the route. (Figure 13 - RAG rating for links and junctions within study area).</p> <p>6.8 It was cited in the evidence informing Central Bedfordshire's recently adopted Local Plan as one of the reasons why additional growth was not currently being considered in the Tempsford / Sandy area. (Section 7.9 Identified Locations for Future Growth). This was also referenced in the supporting document EXAM12:</p>

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	<p>Note on the Identified Locations for Future Growth (provided as Appendix 5). If growth were to be proposed in this area that would impact upon this part of the network, it would need to demonstrate a mitigation solution to ensure the network was not overloaded. The same should apply to the A428 scheme if it results in increased pressure on a network that is already under stress. A joined-up approach is required when considering other infrastructure schemes currently being considered in this location, in particular the East – West Rail (EWR) proposals, to ensure the impacts are being monitored cumulatively and that every opportunity is taken to futureproof when considering future growth requirements. This also relates to a further point we put forward below, with regards to a new vehicular link off the A428. This scheme cannot be considered alone, when it so heavily relates to the A1 and East West Rail, and government ambitions for growth in this area.</p> <p>6.9 The Annex (<b>APP-243</b>) identifies the impacts at Sandy, Biggleswade and at Junction 13 of the M1, as being of sufficient scale to merit a proposed 'Monitor and Manage' approach to mitigation.</p> <p>6.10 Whilst the reference to Monitor and Manage is acknowledged, there is no specific requirement within the wording of the Draft Development Consent Order (DCO) for this, nor is there any detail as to how any such Monitor and Manage approach would operate in practice and who would provide the funding for any management/mitigation measures if identified in the monitoring. CBC would welcome a discussion with HE as to whether this is something that could be covered by a Development Consent Obligation, for example. We also note that within the Transport Assessment Annex (<b>APP-243</b>), the responsibility for 'Monitoring and Managing' the impacts of the scheme upon the operation of public transport (where on routes impacted by the scheme but not directly on the trunk road network – for example the junction of High Street / Bedford Road in Sandy) has been identified as a matter for the Local Highway Authority to address. We would therefore request that certainty is provided in terms of additional provision within the DCO and a Development Consent Obligation (regarding funding and mitigation) or in some other manner in connection with the DCO so as to specify and control the 'Monitor and Manage' process, including timing, frequency, methodology, governance, triggers for intervention, and funding. CBC would welcome a discussion with HE on this.</p> <p>6.11 With regards to the impacts upon Sandy in particular, CBC continue to have significant concerns with regards to both the construction phase and operational phase impacts of the scheme. We have been provided with two sets of model data, one of which is taken from the Strategic A428 model (impacts summarised in table 3-73 and 3-74 of the Transport Assessment Annex (<b>APP-243</b>)) and the other from a</p>

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	<p>localised VISSIM model covering key links within Sandy (impacts summarised in Section 3.18 of the Transport Assessment Annex <b>(APP-243)</b>).</p> <p>6.12 The Strategic model identifies significant increases in traffic movements through the centre of Sandy (in the order of 3,928 vehicle movements within a 12-hour period), as a result of traffic rerouting onto St. Neots Road to avoid southbound congestion at the A1 / A603 junction to the west. This is not an unexpected impact based upon the increased levels of north-south flow predicted following the completion of the A428 scheme and known capacity issues already identified at the A1 / A603 junction.</p> <p>6.13 The more detailed VISSIM work (summarised in section 3.18 of the Transport Assessment Annex <b>(APP-243)</b>) however predicts little overall change in the operation of either the A1 / A603 junction or changes in flow on St. Neots Road. Whilst it is accepted that VISSIM modelling can be more representative than strategic models when assessing congested networks, the results of the VISSIM model do currently appear counterintuitive, with increased flows on all but one arm of the A1 / A603 junction (and an overall net increase of 300 vehicle movements (actual flow) through the junction in the AM peak hour between the 'Do-Minimum' and 'Do-Something' scenarios) resulting in generally improved journey times, and with minimal traffic choosing to route through Sandy to avoid the southbound A1 queues.</p> <p>6.14 The potential implications within Sandy, should the initial Strategic Model results be more representative than the VISSIM modelling, are significant, resulting in considerable increases in flow through the centre of the town.</p> <p>6.15 As such the Council would request that any Monitor and Manage package proposed for Sandy is extended to include assessment of traffic levels passing through the centre of the town, via St. Neots Road. Furthermore, that the requirement for improvement works under 'Monitor and Manage' would be triggered by the deterioration in operation of either the A1 / A603 junction or the St. Neots Road / High Street junction.</p> <p>6.16 Whilst the Transport Assessment Annex concludes that the overall impact at the junctions within CBC is Minimal overall (Table 3-91 <b>(APP-243)</b>), it is noted that this is global comparison taking into account the overall operation of the junctions and does not therefore make clear that this is partly the result of increased forecast flows on the mainline A1 being offset against reduced flows from the local road junction approaches.</p> <p>6.17 It is noted, for example, that in Table 3-75 of the Transport Assessment Annex <b>(APP-243)</b>, that the overall flows through the A1 / A603 VISSIM model are predicted to increase by only 29 vehicles in the AM peak hour (2040 forecast), despite the much larger predicted increases in flow on the A1 forecast within the A428</p>

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	<p>strategic model (with an increase of circa 474 two-way movements on the A1 north of Sandy in the AM Peak hour).</p> <p>6.18 Similarly, it is noted in Table 3-78 of the Transport Assessment Annex (APP-243) that the modelling of the Biggleswade North roundabout junction is based upon 2040 forecast flows in which the A1 flows increase by 3% (north) and 8% (south), whilst the local road flows decrease by 17% (east) and 18% (west).</p> <p>6.19 As such, and whilst discussions with regards to the modelling in question are ongoing, it appears that the strategic model is routing local traffic away from these junctions due to increased predicted levels of delay for local road traffic.</p> <p>6.20 As such, we would be seeking reassurance that any 'Monitor and Manage' approach would also take into account the operation of the side roads as a criterion for intervention, with funding to be provided by HE to CBC secured in the Development Consent Obligation or some other manner in connection with the DCO, as the expected effect of increased flows on the A1 would be increased difficulty for drivers to exit from local road approaches. This would be applicable to all of the junctions within the CBC area covered by the 'Monitor and Manage' process.</p> <p>6.21 Notwithstanding the above, whilst Monitor and Manage has a role to play in addressing the short term impacts of the scheme, it is the view of Central Bedfordshire Council that a comprehensive solution to the treatment of the A1 in particular, whilst outside the immediate scope of this DCO, needs to be secured within forthcoming Highways England Road Investment Strategies to identify and deliver appropriate mitigation.</p> <p>6.22 Maintenance liabilities - Discussions with regards to the assets to be maintained by CBC are ongoing, however it is expected, as per Section 4 of the Highways Act 1980, that Highways England are to pay Central Bedfordshire Council for taking on any maintenance liabilities. This payment will be in the form of commuted sum/s. The calculation will be based on routine maintenance and lifecycle work activities for assets. CBC would also refer to point 1.B of Section 94 of the Highways Act 1980 in relation to Central Bedfordshire Council only maintaining the highway rather than the structure and Section 277 of the Highways Act 1980, with regards to the recovery of expenses from Highways England for maintenance activities relating to the Barford Road Bridge. Maintenance funding is requested to be secured by the Development Consent Obligation or other statutory agreement.</p>
Applicant Response	<p>6.1 The Applicant notes Central Bedfordshire Council's reference to paragraph 5.211 of the National Policy Statement for National Networks (NPS-NN). The Applicant considers that this paragraph should be read as</p>

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	<p>part of the NPS as a whole, especially paragraphs between 5.201 and 5.217, relating to the subject of impacts upon transport networks. For example paragraph 5.212, requires schemes to be developed and options considered in the light of relevant local policies and local plans, taking into account local models where appropriate, however the Scheme must be decided in accordance with the NPS except to the extent that one or more of sub-sections 104(4) to 104(8) of the Planning Act 2008 applies. The Applicant has provided mitigation which is proportionate and reasonable overall (in compliance with NPSNN paragraph 5.215), which in the particular case of road development may relate to the design, layout and operation of the Scheme (in accordance with NPSNN paragraph 5.217).</p> <p>The impacts on junctions within Central Bedfordshire on both the A1 south of Black Cat and the A421 have been assessed. These assessments are set out in the TAA [APP-243].</p> <p>The Applicant agrees that the impacts the impacts at Sandy, Biggleswade and at Junction 13 of the M1 are of sufficient scale to merit a 'Monitor and Manage' approach to mitigation.</p> <p>The nature of the 'Monitor and Manage' approach is defined later in this response.</p> <p>6.8 In relation to other network schemes, the EWR Scheme and the A428 Scheme are not inter-dependent, i.e., they will be delivered independently of each other. Based on the consultation material published by EWR in May/June 2021, a couple of the possible alignments would result in interfaces between the two schemes. However, at the moment, the A428 Scheme does not have any specific detail about the location of those interfaces or how the interfaces would be managed particularly given the fact that the final alignment of the EWR route has not yet been determined.</p> <p>6.10 and 6.20</p> <p>6.9 - 6.12 and 6.14 - 6.19 In relation to the point about Monitor and Manage, this is governed through the National Highways: Licence 2015 (Licence). The Licence places an obligation on the Licence holder (National Highways) in relation to the strategic road network (SRN) to "operate and manage in the public interest, in respect of both current activities and needs in providing effective stewardship of its long-term operation and integrity". National Highways must, under the Licence, at paragraph 4.2(c) "ensure the improvement, enhancement and long-term development of the network".</p> <p>In complying with 4.2(c), and Part 6 of the Licence, National Highways must: "Establish and maintain a clear understanding of the pressures upon and impacts of its network at both a national and route level (including in the preparation of route strategies, as required at 5.13 [of the Licence]), and be aware of the actions needed to improve</p>

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	<p>conditions for users, and manage or mitigate existing problems, to inform the future development and improvement of the network and its performance.” To fulfil this commitment National Highways extensively monitors the performance of its network using data collected from daily counters, manual counts and feedback from local authorities and its operational teams. The monitoring data and data from Post Operational Evaluations Data from major schemes is analysed to develop Route Strategies. The outputs of which drive study areas and form a key building block of National Highways' future works programme. As the obligation is placed on the Applicant through the Licence, this does therefore not need to be secured in the DCO itself.</p> <p>In terms of monitoring areas where there is a local impact, please refer to the Joint Position Statement with Central Bedfordshire which covers this point [TR010044/EXAM/9.29].</p> <p>6.11 - 6.13</p> <p>The A428 Strategic Traffic Model was developed to assess the strategic impacts of the Scheme. The model also represents average hours of an average weekday and hence does not replicate the fluctuations that can occur within these average periods, particularly the peak periods when traffic flows and journey times can vary considerably by location. The A428 Strategic Traffic Model indicated there is a potential for rat-running, through Sandy, along St Neots Road and New Road. However, the A428 Strategic Traffic Model is developed in SATURN software, which is not designed for localised assessment where capacity and route choice may be influenced by network details such as pedestrian crossings and blocking back between junctions, which are difficult to replicate in SATURN. Hence, the Vissim microsimulation model was developed to assess whether this is an issue, since this software is specifically designed to provide a more detailed assessment of traffic operations on the road network.</p> <p>The Vissim model has been developed based on more comprehensive coverage of turning count data and link count data in the Sandy area, compared to the A428 Strategic Traffic Model. In addition, the base model is validated to journey time data along the A1 and routes through Sandy. The Vissim model is therefore considered a more reliable tool to assess changes in route choice in forecast scenarios. The Vissim modelling demonstrated that the Scheme does not induce more trips to use the St Neots and New Road route to bypass the A1.</p> <p>The Vissim models have been shared with CBC, which they are currently reviewing to satisfy themselves that the forecast assignment predicted on their road network is robust.</p> <p>6.21 The process for developing and delivering the RIS can be split broadly into three phases which are set out below. This process sets out how National Highways would consider the inclusion of schemes such as the A1</p>

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	<p>and demonstrates below the important role that Monitor and Manage plays in schemes being identified for the RIS, alongside other evidence.</p> <p><b>1. Research Phase (Year 1 and 2 of RIS)</b></p> <p>The focus of this phase is finding out what people think should be the main objectives for National Highways and the Strategic Road Network (SRN); which locations on the SRN are most in need of improvement; the opportunities to unlock wider benefits from investment in the SRN; and if there should be any changes in the roads that make up the SRN.</p> <p>There are three main processes through which National Highways would be gathering this evidence:</p> <ul style="list-style-type: none"> <li>• <b>Route Strategies</b> - the focus is on a list of routes derived from policy and priorities eg. levelling up or E to W improvements etc.</li> <li>• <b>Strategic Studies</b>- pinch points identified on the network to see what can be done to ease these.</li> <li>• <b>Future Pipeline</b> - schemes identified for future development and delivery.</li> </ul> <p>In addition, National Highways makes full use of evidence put together by the sub-national transport bodies. Their work examining the transport priorities for their areas offers an invaluable perspective for the development of the RIS.</p> <p>This phase concludes with the publication by National Highways of its <i>SRN Initial Report</i> on the state of the network and its suggested priorities. The Department will hold a formal public consultation on this report to gather views and ensure we have as complete a picture as possible of what the RIS should seek to achieve.</p> <p><b>2. Decision Phase (Years 3 and 4 of RIS)</b></p> <p>Using the responses to the public consultation, the Department will publish a <i>Draft RIS</i> setting out its intentions. This is the basis for a period of discussion between the Department and National Highways, informed by statutory advice from the Office of Rail and Road about the efficiency challenge and deliverability of emerging plans. This phase concludes with the publication of the RIS document and National Highways' Strategic Business Plan.</p> <p><b>3. Mobilisation Phase (Year 5 of RIS)</b></p> <p>National Highways will publish its Delivery Plan and start to mobilise resources ahead of the start of each Road Period.</p>



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	<p>6.22 The Applicant would like to point CBC's attention to Article 13 of the dDCO [REP1-003] which sets out the maintenance split of structures between parties, depending on what that structure is carrying or crossing. There has been no agreement between the parties to date on the details of any maintenance obligations outside of what is set out in Article 13. However, any such agreement could be captured within the legal agreement to be entered into between the parties.</p>
REP1-055e	<p><b>7 Barford Road Bridge</b></p> <p>7.1 The National Policy Statement (NPS) for National Networks contains the following relevant policies:</p> <ul style="list-style-type: none"> <li>• 5.205 Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure. As part of this, consistent with paragraph 3.19-3.22 above, the applicant should provide evidence that as part of the project they have used reasonable endeavours to address any existing severance issues that act as a barrier to non-motorised users.</li> <li>• 5.215 Mitigation measures for schemes should be proportionate and reasonable, focussed on promoting sustainable development.</li> <li>• 5.216 Where development would worsen accessibility such impacts should be mitigated so far as reasonably possible. There is a very strong expectation that impacts on accessibility for nonmotorised users should be mitigated.</li> </ul> <p>7.2 The proposed works to Barford Road have the potential to create a barrier to longer term sustainable movement North and South. Where the new dualled A428 passes under Barford Road, the bridge will enable access across the new dual carriageway for vehicles. CBC would request that this bridge is constructed with sufficient width to accommodate pedestrians, cyclists and horse riders. Central Bedfordshire Council has policies within its Local Transport Plan, recently adopted Local Plan, as well as its Sustainability Plan, which all place great emphasis on supporting sustainable modes of travel as a priority over vehicular movements, and which must be taken into account when considering any infrastructure schemes, particularly those of this magnitude. Existing communities must not be disadvantaged in terms of what is being proposed here.</p> <p>7.3 In terms of providing pedestrian and cyclist access, there is also an ambition to create a cycleway that runs along the East Coast Mainline (north/south), that would cross the route of the new dual carriageway, where it goes over the railway line. This is something that must be considered now as part of the DCO, as it won't be able to be implemented at a later stage is sufficient land is not retained to enable this to be delivered.</p>

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	<p>7.4 This infrastructure will provide an important route for existing communities, but it is also clear from the Spatial Framework (Planning for Sustainable growth in the Oxford-Cambridge Arc, para 1.23) and the March 2020 Budget policy paper (para 2.129) that significant growth is being considered in this location. Failing to properly consider and make provision for pedestrian and cyclist access under and over the new A428 in this location will provide a huge barrier to that growth and its ability to come forward as a sustainable (and therefore appropriate) scheme. This is further emphasised by the recent East West Rail (EWR) consultation dated 31st March – 9th June 2021 (Section D, page 212), which proposes a new station either north or south of the A428 in this location. Whichever option is selected, in order to encourage sustainable growth and ongoing sustainable and active travel journeys, there will need to be access over/under the A428 for sustainable transport modes in line with the sustainable transport policies in the NPS for National Networks that make it as easy as possible for people to access these services without using their cars. It would be entirely contrary to government policy in relation to sustainable travel and climate change not to future proof what is being proposed in this regard.</p> <p>7.5 The designers should assess the potential drainage impact on an undefined ditch at the southwestern end of the scheme. This is however a matter that has previously been brought to the attention of the applicant team and is therefore expected to be addressed through the detailed design process.</p>
Applicant Response	<p>7.1 The Case for the Scheme <b>[APP-240]</b>, Appendix A, provides the Applicant's NPSNN Accordance Table. It explains in Row 5.203-5.205 that the five host authorities were all consulted throughout the design development process of the Scheme, and in relation to the assessment of transport impacts. It further explains that the Scheme makes enhancements to pedestrian and cyclist facilities in order to address historic severance issues. Row 5.216 of Appendix A of The Case for the Scheme <b>[APP-240]</b> provides details showing how the Scheme is in compliance with the NPSNN in respect of the requirement to mitigate accessibility for non-motorised users.</p> <p>7.2 The design of Barford Road is a replacement of existing infrastructure. The existing infrastructure does not accommodate separate provision for walkers and/or cyclist and there is currently no community severance that would justify this intervention therefore it is not proposed in the design of the Barford Road side road diversion or overbridge. The proposed Barford Road overbridge does not preclude non-motorised users from crossing the new dual carriageway as it includes 2.5m verges either side of the carriageway. The Central Bedfordshire Council policies and plans make no specific reference to improving sustainable travel along Barford Road.</p>

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	<p>The Applicant does not preclude the local authority from implementing enhancement measures or contributing to the additional costs associated with these upgrades. It would be for the local authority to evidence the need for the upgrades and secure any additional land to deliver these facilities.</p> <p>7.3 The proposed structure over the East Coast Main Line includes vehicular access (track width of 3.5m) through the side spans for landowners. No provision has been made for pedestrians and cyclists alongside the East Coast Main Line as there are no existing rights of way within the area.</p> <p>The Applicant does not preclude the local authority from implementing enhancement measures or contributing to the additional costs associated with any upgrades. It would be for the local authority to evidence the need for the upgrades and secure any additional land to deliver these facilities.</p> <p>7.4 The Case for the Scheme <b>[APP-240]</b>, in section 3.4 provides details of local development plan allocations and designations. The Applicant agrees with Central Bedfordshire Council (CBC)'s statement that significant growth is being considered in this general location. The Applicant's response to the Panel's Written Question 1.17.4.1 <b>[REP1-022]</b>, pages 234-236, explains that the Applicant and East West Rail Company have collaborated as far as practicable given the different stages of development of their respective projects. Current indications suggest East West Rail will be consulting on the preferred alignment of their project at the time that the Applicant will be concluding the detailed design of its Scheme, indicating a significant gap in the timeline between the two projects. The draft Statement of Common Ground (SoCG) between the Applicant and East West Rail (EWR), submitted at Deadline 1 <b>[REP1-015]</b> explains that the design of the Scheme does not preclude the EWR project coming forward at a later date, as this could be delivered by either building over or under the new dual carriageway (should crossing of the new dual carriageway be required). Any proposed infrastructure as a direct result of the East West Rail scheme, will be the responsibility of the respective party to include within their own application for DCO consent. The Applicant cannot propose infrastructure for a potential development that has not been assessed and consented. To do so, would risk a misspend of public money.</p> <p>7.5 The Applicant has considered the undefined ditch at the southwestern end of the Barford Road realignment and notes that it falls to the east away from Stone Brook and towards Barford Road. The proposed overland ditches capture the runoff before discharge back into Stone Brook.</p>

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REP1-055f	<p><b>8 A428 Connection</b></p> <p>8.1 The National Policy Statement (NPS) for National Networks contains the following relevant policies:</p> <ul style="list-style-type: none"> <li>5.205 Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure. As part of this, consistent with paragraph 3.19-3.22 above, the applicant should provide evidence that as part of the project they have used reasonable endeavours to address any existing severance issues that act as a barrier to non-motorised users.</li> </ul> <p>8.2 Related to these points, as discussed above, the Tempsford/Barford area is clearly going to be subject to significant change in the future, with an EWR station and potentially levels of significant growth. We also already know the A1 is struggling in terms of capacity. As such, the Council considers a vehicular link off the proposed A428 route to the east of Little Barford should be provided or funded by HE, for example, through the Development Consent Obligation or a highways agreement, to enable traffic to divert off this road to the new EWR station, and potentially to new homes, prior to it reaching the A1. It is difficult to understand, without this, how any future growth could be accommodated in this area, and it is surely beneficial to consider this now as opposed to once the road is built out, when subsequent changes would be more costly and cause further disruption for communities. CBC would welcome discussion with HE on this.</p>
Applicant Response	<p>8.1 As set out in the Appendix A of the Case for the Scheme <b>[APP-240]</b>, the Scheme makes enhancements to pedestrian and cyclist facilities in order to address historic severance issues. For example, the existing cycle route along Bedford Road terminates at the existing Black Cat roundabout, meaning that cyclists or walkers travelling between Roxton and Chawston would either have to traverse Black Cat Junction and the A1 or travel via Roxton Road and Chawston Road. The Scheme creates a new, more direct, route between Roxton and Chawston via the Roxton Link Road. This route is suitable for cyclists and pedestrians and is not severed by Black Cat Junction. A description of this and other new and improved routes for walkers, cyclists and horse riders to be delivered by the Scheme is included in paragraph 8.3.3 of the Transport Assessment <b>[APP-241]</b>.</p> <p>8.2 East West Rail has now completed their non-statutory route options consultation. However, until East West Rail has determined the route and locations of the proposed stations, it is not possible for the Applicant to consider any specific provision for any new infrastructure which may be required as part of the East West Rail scheme.</p>

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	<p>Any proposed infrastructure as a direct result of other development or the East West Rail scheme, will be the responsibility of the respective party to include within their planning application. The Applicant cannot propose infrastructure for a potential development that has not been assessed and consented. To do so, would risk a misspend of public money. In terms of the alignment of the new dual carriageway; the Applicant does not preclude, geometrically, a new junction being proposed by others.</p> <p>The Applicant is committed to continuing engagement with Central Bedfordshire Council on matters relating to the Scheme and where efficiencies can be progressed.</p>
REP1-055g	<p><b>9 Air Quality</b></p> <p>9.1 The impacts of the construction phase of the proposed scheme are not considered likely to have a long-term significant detrimental effect air quality in our area. With regards to construction dust impacts the applicants have stated that dust control measures in accordance with IAQM guidance for controlling construction dust will be followed and those set out in Annex A of the Environmental Management Plan (First Iteration (<b>APP-234</b>)) appear to accord with this. We are generally satisfied with this in principle. However, our experience is that the failure in site dust controls that give rise to complaints tend to be because of poor implementation and management controls. Again Annex A (APP-234) and the associated tables set out a number of management measures that will be implemented to ensure dust controls are effective, and we are encouraged by this. Whilst the measures include a website where residents can report complaints, our experience is that residents prefer to complain to their Local Authority rather than the source of the problem. Therefore, close liaison and contact details for relevant Site Managers or other Senior Officials will need to be clearly established to deal with issues as and when they arise. Table A-3 of the First Iteration Environmental Management Plan (<b>APP-234</b>) says that "Regular liaison would be undertaken with the relevant local authorities, this would include discussing any complaints that had been received." However regular is not defined and CBC requests greater clarity and confirmation of close liaison and contact involved in the document.</p> <p>9.2 The applicant has predicted an adverse impact on our Sandy AQMA and are not proposing to undertake any mitigation to counteract or offset that. The applicant during its Air Quality Modelling (see Sensitivity Test using 2020 Uncertainty Log Data report (<b>APP-160 to APP-162</b>)) actually identified the potential for medium level impacts for the 7 properties that lie in the existing Sandy AQMA. However, because less than 30 properties are affected, they have simply classed this impact as "not significant". The size or scale of the impact is not the material factor as far as we are concerned – anything that likely to result in an adverse</p>

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	<p>impact on the health of CBC residents at this highly sensitive location and is likely to counteract our fundamental efforts to improve air quality in the AQMA is not acceptable, particularly without mitigation measures to offset those adverse impacts. CBC's view is that mitigation must be incorporated and a requirement of the draft DCO.</p> <p>9.3 We have significant concerns regarding the impact on air quality and on human receptors in the operational phases of the scheme: Currently it has been observed by Council officers visiting the area that there is regular congestion along the southbound A1 at the A603 roundabout, with queuing regularly stretching past the row of cottages fronting the A1, certainly during peak times (and sometimes beyond these periods), within the AQMA (declared for both the hourly and annual NO<sub>2</sub> Air Quality Objectives). The capacity of the A1 is already a concern, as my colleagues from CBC Highways have advised. It is already operating at capacity and there is a need for realignment or an alternative (but significant) solution to be found and funded and, whilst this issue falls outside of the DCO project, it highlights the need for the air quality issues from the project to be fully mitigate to avoid making the existing situation worse as a cumulative impact of the project. The proposed works would enable the A1 southbound traffic to be free flowing at the Black Cat roundabout, but this traffic would be held up at the next stopping point (the A1/A603 roundabout). The Transport Assessment concluded that there would be a "slight impact", however this is on the basis that local road traffic is predicted to reduce as a result of increased flows on the A1, with para. 10.5.3 of the Transport Assessment Annex (<b>APP-243</b>) acknowledging that 'In the 2040 AM peak hour, the traffic flows are predicted to increase significantly in the Do Something relative to the Do Minimum. Therefore the free-flowing traffic would add to the existing congestion/delays at the A1/A603 and this in turn would increase the road transportation emissions from tailpipes and have a detrimental impact on the pollution concentrations within the AQMA. There is a legal obligation for Local Authorities and Highways England to work to reduce concentrations of air pollutants and therefore the conclusion of the Air Quality Assessment that although the level of impact was medium, the fact less than 30 properties were adversely affected the overall impact was "imperceptible" and therefore no mitigation was proposed, is unacceptable.</p> <p>9.4 The Sandy AQMA was declared in respect of both the NO<sub>2</sub> annual and hourly Air Quality Objectives and diffusion tube monitoring has shown exceedances of both AQOs at the 7 receptors annually. In 2019, the diffusion tube monitoring results showed that the concentration of NO<sub>2</sub> had decreased to below 60µg/m<sup>3</sup> (the level recognised to highlight breaches of the hourly objective) occurred for the first time at the location of the 7 identified receptors. The 2019 result (57.5 µg/m<sup>3</sup>) is close to the hourly objective figure (see Appendix</p>



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	<p>6). However the results do vary year on year and therefore it is too early to conclude that air quality has improved enough to revoke the AQMA relating to the hourly objective exceedance.</p> <p>9.5 Covid 19 restrictions have had an impact on air quality during 2020 &amp; 2021 – lockdowns significantly decreased traffic flow numbers, and this was reflected in the 2020 monitoring result of 43.6 µg/m<sup>3</sup> at this location (see Appendix 6). However both 2020 &amp; 2021 should be considered atypical as air pollution concentrations will increase as traffic flows return to a more “normal” level. Given the high concentrations of NO<sub>2</sub> monitored prior to the proposed scheme, the additional delays at the A603/A1 roundabout will result in more congestion and queuing which already often stretches past the 7 receptors during peak times (and often beyond these periods) and within the AQMA. The predicted increase of NO<sub>2</sub> concentrations at this location because of the proposed scheme is counter to legislation requiring improvements in air quality to meet the AQOs. Additionally, the impacts of air quality on human health is well documented and the AQOs have been set with those in mind, so monitoring results above the 40 µg/m<sup>3</sup>, show that impacts on the health of the receptors within the Sandy AQMA are a relevant concern and any scheme that will negatively impacting air quality, without offering any mitigation is unacceptable and this should be incorporated into the draft DCO requirements.</p> <p>9.6 Central Bedfordshire Council have produced an Air Quality Action Plan (AQAP) (see Appendix 7) in order to improve air quality in the AQMA. This document has been published to the Council's website and Highways England were consulted and had input into the drafting and formulation of the document. We would contend that rather than offering no mitigation to offset the adverse impacts that they have identified as a result of this project, Highways England could use this as a starting point to identify a range of mitigation measures that could be reasonably implemented. Measures are either:</p> <ul style="list-style-type: none"> <li>• Strategic (i.e. aimed at integrating air quality into all relevant areas of decision making within Central Bedfordshire Council); or</li> <li>• Specific (i.e. aimed at promoting more sustainable travel choices and reducing traffic related emissions within the two AQMAs and the district as a whole).</li> </ul> <p>Four 'Package of Measures' have been recommended for implementation at this time:</p> <ul style="list-style-type: none"> <li>• Package 1: reducing emissions through strategic measures</li> <li>• Package 2: optimising traffic flow through the AQMAs</li> </ul>



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	<ul style="list-style-type: none"> <li>Package 3: reducing transport emissions</li> <li>Package 4: promoting sustainable transport options</li> </ul> <p>9.7 Whilst more detail is available in the AQAP, we would suggest that the following measures may be most relevant to the current project: Measure 1: Improve links with the Local Transport Plan (LTP) Measure 2: Improve links with the Local Planning and Development Framework Measure 4: Junction and Congestion Investigations Measure 7: Research impact on use of average speed cameras / change to speed limit Measure 10: reducing the emissions from goods vehicles within AQMAs</p> <p>9.8 Whatever mitigation measures are identified, we are also acutely conscious how important it is that adequate measures are put in place to ensure that the A1 can operate effectively and cope with the volume of traffic at this location as a result of the project, otherwise traffic may be pushed onto local roads creating higher levels of pollution in those locations.</p> <p>9.9 Of further concern to us is the fact that the applicant has not adequately factored in the cumulative impacts on AQ when combined with the East-West Rail Link (EWR) proposals, in particular regarding the proposed new station at Tempsford or St Neots and what that is likely to mean in terms of traffic generation on the A1 and consequent congestion etc. There appears to be an information disconnect with the EWR Project team (so we have been advised by the Black Cat Project Team), despite the EWR Project Team assuring me separately that they were liaising on the cumulative impacts for both projects. They need to resolve this to ensure an accurate assessment of cumulative impacts to accompany the DCO application is reflected in their prediction of air quality impacts, and the impacts on the Sandy AQMA are paramount in this respect</p>
Applicant Response	<p>9.1 – 9.8 Please refer to the Applicant's Response to CBC's Local Impact Report [REP2-004g].</p> <p>9.9 In terms of the position on cumulative impacts with East West Rail, the Applicant has set out a full response to this in the Applicant's Response to Relevant Representations [REP1-021] – please refer to RR-013au/RR-048au/RR-100au.</p>
REP1-055h	<p><b>10 Noise &amp; Vibration</b></p> <p>10.1 Construction Noise: Paragraph 11.3.11 of <b>APP-080</b> makes reference to further baseline monitoring that was due to be carried out but "postponed" due to the impacts of Covid 19. We have now been advised that this further monitoring will not be taking place but are unclear as to the justification for this, as there was clearly</p>

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	<p>an identified need for the further monitoring in the first place. The justification is requested from HE. We are concerned about the level of construction noise impact given the duration of the construction project. The proposed hours of work are outside those that we allow for construction sites in Central Bedfordshire, i.e. starting before 8am. CBC would normally allow 8am to 6pm Monday to Fridays, 8am to 1pm on Saturdays and no working on Sundays or Bank Holidays. However, in view of the size and scale of the project, CBC would consider it would be appropriate to allow variation to these hours where particular circumstances required this and appropriate mitigation measures were in place and requests the draft DCO requirements to be updated in this respect. Central Bedfordshire is an area of considerable growth with a plethora of construction sites already operating across our district, and residents have therefore been subject to impacts from these construction site operations at a local level for some time. For such a major project, it will be essential to ensure that any noise impacts are robustly controlled in accordance with the provisions of BS5228:2009 Parts 1 &amp; 2 at all times and that this is a requirement of the draft DCO.</p> <p>10.2 Construction Noise: Most of the receptors identified in table 11-10 are outside of Central Bedfordshire. However, the small number of receptors identified in our district (R16,17 &amp; 18) are predicted to experience noise levels above the LOAEL, with R16 expected to experience levels above the SOAEL for daytime, evening &amp; weekends and night-times which is a significant concern p 40, Document TR010044 Volume 6 6.1 Environmental Statement Chapter 11: Noise and Vibration (<b>APP-080</b>). The assessment states that these works will be of very short duration (p 46-7, Document TR010044 Volume 6 6.1 Environmental Statement Chapter 11: Noise and Vibration (<b>APP-080</b>)), but this is not clarified and clarification from HE is requested. We would need to see further clarification (once details of the works are known, as referenced in paragraph 11.9.13) of this before we can comment on the assessment of significance, although the level of impact (i.e. daytime, evening &amp; weekends and night-times) predicted for R16 above the SOAEL in itself is a concern even if this is of "very short duration". We note the proposed use of localised noise barriers (p36 Paragraph 11.8.4, Document TR010044 Volume 6 6.1 Environmental Statement Chapter 11: Noise and Vibration (<b>APP080</b>)) and encourage these to be deployed where necessary to reduce construction noise impacts on residential receptors and for this to be set out as forming part of the construction noise mitigation measures required under the First or Second Iteration of the Environmental Management Plan. We note the intention to undertake surveys to check compliance with BPM measures, but would want to know details as to frequency of these, and who would be carrying them out, reporting arrangements etc. The details are requested from HE.</p> <p>10.3 Operational Noise: Our concerns for this phase of the project relate to the identification of significant adverse daytime and night-time noise impacts on a small number of receptors in our area (see Table 11-13 and</p>

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	<p>paragraphs 11.9.54 &amp; 11.9.56-60 on TR010044 Volume 6 6.1 Environmental Statement Chapter 11: Noise and Vibration (<b>APP-080</b>)) who will see noise levels as a result of the new road scheme increase by around 9dB. The project team are not proposing any further mitigation beyond the embedded mitigation measures already identified to try and address these significant adverse impacts i.e. therefore the +9dB increase will be present even with the embedded mitigation in place. The report states that noise bunds and barriers have been considered, but these have been discounted either because they are not considered to be effective or on cost grounds. We would contend that these are not the only mitigation measures that could or should be considered. Furthermore, we have not seen any cost-benefit calculations to justify their exclusion on cost grounds and this is requested from HE. In my opinion, they are failing in their primary objectives as set out in their Noise &amp; Vibration Environmental Statement chapter (<b>APP-080</b>), reflecting the NPSE objectives (see 11.2.18). Our position at this point is that it is simply not acceptable to expect existing residents, no matter how small in number, to be subjected to such significant long-term adverse noise impacts as a result of the operation of the new road scheme and not identify and incorporate further noise mitigation measures into the draft DCO requirements that could be implemented to alleviate those impacts.</p> <p>10.4 Operational Noise: The cumulative noise impact of both the EWR project and this project operating at the same time has again not been assessed and this is requested by CBC. In theory, we would anticipate it is possible that noise from the A1 to dominate to such an extent that the contribution of the EWR operation overall will have little additional impact over and above that already identified. However this still needs to be considered and demonstrated as both are major infrastructure projects that are likely to impact on the ambient noise environment in this area for the long-term. We appreciate there may be difficulties with communication and co-ordination between the two project teams, but that does not obviate the need for these impacts to be properly and robustly assessed, particularly for 2 schemes of such magnitude and significance and in such close proximity to each other.</p>
Applicant Response	<p>10.1 As set out in Section 11.6 of Chapter 11, Noise and Vibration of the Environmental Statement [<b>APP 080</b>], a baseline noise survey was undertaken in 2017. The purpose of this baseline noise survey was two-fold:</p> <p>Firstly, the baseline noise survey assisted with developing an understanding of the general noise climate along the Scheme. For example, to identify if any local noise sources other than road traffic were present, and if these contributed significantly to the local noise climate.</p> <p>Secondly, the results of the baseline noise survey have been used to validate the traffic noise prediction modelling by comparing predicted traffic noise levels with the measured noise levels. The validation exercise</p>

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	<p>compared the baseline ambient noise levels measured during 2017 and the predicted traffic noise levels using 2015 traffic data, i.e. the measurement and traffic data were comparable. The Applicant has identified a typographical error in Chapter 11, Noise and Vibration <b>[APP-080]</b> which incorrectly references the Base Year traffic data as 2016. This should read 2015. Refer to 9.42 Errata <b>[TR010044/EXAM/9.42]</b> which has been submitted at Deadline 3 and which confirms that the responses provided to the Examination to date remain unchanged once this errata is applied.</p> <p>An exact match between the measured and predicted levels would not be expected for a variety of reasons, for example:</p> <ul style="list-style-type: none"> <li>i) The noise predictions are based on typical weekday traffic conditions over a year, not the exact traffic conditions during the few weeks or hours of noise monitoring.</li> <li>ii) The prediction method is designed to be conservative in terms of the effect of wind direction whereas the wind direction is likely to vary throughout the monitoring period.</li> <li>iii) The noise predictions only consider road traffic noise, whereas the measurements include all ambient noise sources.</li> </ul> <p>The monitoring carried out at ten locations along the length of the Scheme provided sufficient information on the existing noise climate, concluding that a majority of the locations were dominated by existing road traffic noise source. The exception was the rural location of Rectory Farm in Little Barford (M6). This location, located away from existing roads in a rural area, was observed to experience a number of other noise sources including agricultural sources, rail noise from the East Coast Mainline and noise from nearby overhead power lines.</p> <p>The validation exercise concluded that at a majority of the locations where road traffic noise was dominant, there was a reasonable match between measured and predicted traffic noise levels. Further discussion of the comparison of the measured and modelled noise levels is provided in paragraphs 11.6.18-11.6.23 within Chapter 11, Noise and Vibration <b>[APP-080]</b> of the Environmental Statement. Overall, the comparisons provide confidence that the noise model developed to estimate the noise impacts of the Scheme is a reasonable approximation.</p> <p>Taking the above into consideration we consider that the baseline monitoring conditions reported in Chapter 11, Noise and Vibration <b>[APP-080]</b> of the Environmental Statement remain representative of the current</p>

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	<p>noise climate. In addition, the conclusion of the validation exercise remains valid as the 2017 monitoring data was compared to predictions using comparable traffic data.</p> <p>No material changes in baseline conditions in the study area have been identified between 2017 and 2021. There is ongoing development at Wintringham and the former site of St Neots Footgolf and Golf Centre on Potton Road has been redeveloped with nine residential properties. However, we consider that the scale and location of both these developments to date will not make a material difference to the traffic on the surrounding network. Furthermore, the traffic generated by developments such as Wintringham are included in the traffic data for 2025 and 2040 used to predict the operational traffic noise impacts of the Scheme.</p> <p>As a result of feedback on the Scoping Report, discussions were held with all four local authorities during 2019 and 2020 with regard to carrying out noise monitoring at four additional locations along the route, one within each local authority boundary. Two of these locations were agreed in principle, both of which are located close to existing road traffic noise sources.</p> <p>However, this additional monitoring was not progressed during 2020 due to the presence of non-standard traffic conditions resulting from the travel restrictions resulting from the Covid-19 pandemic. In addition, it is worth noting that any further measurements that would have been carried out at that point in time, would be less comparable with the 2015 traffic data on which the validation exercise is based.</p> <p>Therefore, whilst this additional monitoring would have been of interest, it is not considered to be essential, as the data collected from the 2017 survey remains representative of the current noise environment, and the conclusion of the validation exercise reported in <b>APP-080</b> remains valid. Collecting additional data would not change the outcome of the environmental impact assessment as baseline data are not used directly in the identification of significant effects, nor would it change any of the proposed noise mitigation measures.</p> <p>Please also refer to Applicant's response to Action No.10 in Applicant Response to actions arising from Issue Specific Hearing 2 [<b>TR010044/EXAM/9.32</b>].</p> <p>The Applicant is not willing to change the core working hours as set out in Chapter 2, The Scheme [<b>APP-071</b>] of the Environmental Statement, as these time periods are required in order to deliver the Scheme within the overall construction programme. A consequence of a change to the core working hours would be an extension to the construction programme. However, the Applicant is willing to engage in discussions with the local authorities so that agreements can be sought when working close to sensitive locations, such as residential properties, or where there are specific activities, such as during school exams, where noise from</p>

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	<p>construction could potentially be minimised. Where appropriate, discussions will be held with local authorities on these matters during the detailed design stage where mitigation can be discussed in more detail. This engagement will be secured in the next revision to the First Iteration Environmental Management Plan <b>[APP-234]</b>.</p> <p>10.2 As set out in paragraph 11.9.6 (I) of Chapter 11, Noise and Vibration <b>[APP-080]</b> of the Environmental Statement exceedances of the construction noise SOAEL in the evening and night at R16 relate to works to tie-in the Barford Road re-alignment. The estimated construction noise levels are based on reasonable worst case assumptions in terms of the number and type of plant required, and no benefit from temporary noise barriers or site hoardings has been assumed. In addition, these tie-in works will be of very short duration i.e. well below the ten or more working days (or evenings/weekends or nights) in any 15 consecutive days criteria.</p> <p>Annex B Noise and Vibration Outline Management Plan of the First Iteration Environmental Management Plan <b>[APP-234]</b>, sets out the generic measures which will be used by the contractor to control noise and vibration during the construction phase. At the detailed design stage exact details of the works in terms of the location, extent and timing of the works, and the number and type of plant to be used, will be much more certain. Therefore, the Environmental Statement is not the final stage for determining construction mitigation, the construction noise assessment will be re-visited at the detailed design stage to ensure Best Practicable Means (BPM) have been adopted and if localised noise barriers would be appropriate. The first step in applying BPM, before the need for barriers is considered, is to reduce the noise level at source. This includes the choice of plant, the construction activities to be undertaken and the timing of these activities (such as daytime or night time). For instance, there may be potential to undertake some tie-in works during the daytime, rather than during the evening and night as currently assumed in the Environmental Statement.</p> <p>The First Iteration Environmental Management Plan <b>[APP-234]</b> includes a commitment to develop a Noise and Vibration Management Plan which will detail the management and monitoring to be applied at all construction sites, including tie-in works. This will be produced in consultation with the Local Authorities and must be approved by the Secretary of State before works can begin. The Noise and Vibration Management Plan (NVMP) is not a static document and will be updated and revised as necessary. The NVMP will build on the generic measures set out in the First Iteration Environmental Management Plan <b>[APP-234]</b> and will include adopting industry standard practice to:</p> <ul style="list-style-type: none"> <li>• Apply Best Practicable Means as defined in Section 72 of Control of Pollution Act.</li> </ul>

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	<ul style="list-style-type: none"> <li>Integrate noise control into preparation of all method statements for construction activities. This would include the selection of low noise plant, siting plant away from receptors where possible to minimise noise disturbance, using acoustic enclosures, using temporary site hoardings/barriers and using less intrusive reversing alarms.</li> <li>Develop and implement noise monitoring protocols – locations, duration, methods to publish data.</li> <li>Develop procedures for installing noise insulation and temporary rehousing residents where it is not possible to mitigate construction noise below relevant trigger levels as defined by BS 5228.</li> <li>Develop a process to ensure ongoing compliance with the Noise and Vibration Management Plan and for corrective actions required to address any non-compliance</li> </ul> <p>10.3 The responses below relate to properties within Central Bedfordshire Council. It is noted that there are a number of paragraphs identified by Central Bedfordshire which include properties outside of the district and therefore these are not discussed in this response.</p> <p>The Applicant considers its approach to identifying operational noise mitigation measures is robust. To summarise, mitigation measures have been incorporated into the design of the Scheme to minimise adverse operational traffic noise effects due to the Scheme, however, some residual adverse effects will remain. This is acceptable within the context of sustainable development as factors other than solely noise must also be considered.</p> <p>None of the properties specifically identified by CBC are predicted to experience an increase in traffic noise which results in traffic noise levels above the Significant Observed Adverse Effect Level (SOAEL), and thus do not experience significant adverse effects in terms of the policy aims set in Noise Policy Statement for England (NPSE) and National Policy Statement for National Networks (NPSNN).</p> <p>The predicted traffic noise levels at these properties are fairly low, with isolated properties being generally around the Lowest Observed Adverse Effect Level (LOAEL). Therefore, although these are not significant in terms of policy, NPSNN still requires the Applicant to consider mitigation to minimise levels, within the context of sustainable development.</p> <p>In addition, based on the change in traffic noise level due to the Scheme and their local context, the properties identified in Chapter 11, Noise and Vibration of the Environmental Statement [APP-080] paragraphs 11.9.54 (1 and 2 The Barns and Rectory Farm on Little Barford Road) and Hill Farm in</p>



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	<p>paragraph 11.9.56 have been identified as likely to experience significant adverse effects in Environmental Impact Assessment terms. Therefore, the EIA process also requires mitigation to avoid or minimise these significant adverse effects to be considered.</p> <p>For these two reasons, the Applicant has considered mitigation measures for these identified properties. As required by the NPSE, NPSNN and LA 111, noise mitigation measures cannot be considered in isolation and a range of factors need to be considered. Paragraph 11.3.69 of Chapter 11, Noise and Vibration of the Environmental Statement <b>[APP-080]</b> summarises the factors which have been considered when identifying sustainable noise mitigation measures to be included in the Scheme. Such factors include cost versus benefit, engineering practicality, generation of non-acoustic impacts (such as visual impact) and consultation and stakeholder engagement responses.</p> <p>A number of noise mitigation measures have been embedded into the Scheme and these are summarised in paragraphs 11.8.9-11.8.12 of <b>APP-080</b>. This includes the Scheme being constructed with low noise surfacing materials along its length.</p> <p>The Applicant has considered additional noise mitigation in the form of noise barriers at a number of locations to reduce the magnitude of predicted traffic noise increases due to the Scheme, which includes the properties identified in paragraphs 11.9.54 and 11.9.56 within the Central Bedfordshire Council boundary.</p> <p>1 and 2 The Barns – these properties experience a decrease on their front facades in the opening year due to the removal of traffic from Little Barford Road with the Scheme in place. These levels, which are at, near to or above SOAEL during both the day and night, reduce by around 10dB. However, these properties are predicted to experience an increase on the rear façade due to the new dual carriageway being introduced to the rear approximately 300m away at their closest approach. The levels on these facades with the Scheme will remain low below the daytime LOAEL even with predicted traffic noise increases of between 4 and 8dB <math>L_{A10,18h}</math>. Predicted levels range from 47-50 dB <math>L_{A10,18h}</math> daytime without Scheme and 51-56 dB <math>L_{A10,18h}</math> daytime with Scheme. The maximum predicted reduction from a 3m high noise barrier in this location is 1.1dB.</p> <p>Rectory Farm, Little Barford Road – this property is predicted to experience moderate and major increases in the opening year on its north and east facades of between 5 and 14dB in the daytime with the Scheme in place. These increases are due to the new dual carriageway being introduced approximately 300m away from the property at its closest approach. However, the traffic noise levels at all facades with the Scheme in place will remain low, around or below the daytime LOAEL, even with these predicted increases. Predicted</p>

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	<p>levels range from 40-45 <math>L_{A10,18h}</math> daytime without Scheme and 44-56 <math>L_{A10,18h}</math> daytime with Scheme. The maximum predicted reduction from a 3m high noise barrier in this location is 1.6 dB.</p> <p>Hill Farm, Station Road, Tempsford – this property is predicted to experience moderate and major increases in the opening year on all its facades of between 4 and 10 dB in the daytime with the Scheme in place. These increases are due to the new dual carriageway introducing a new noise source over 600m away from the property. However, the traffic noise levels at these facades with the Scheme in place will remain low, below the daytime LOAEL, even with these predicted increases. Predicted levels range from 35-44 dB <math>L_{A10,18h}</math> daytime without Scheme and 40-52 <math>L_{A10,18h}</math> daytime with Scheme. Based on the very large distance between the property and the Scheme and the very low predicted traffic noise levels, a barrier has not been explicitly modelled. However, the benefit of a barrier would be negligible.</p> <p>Based on the details provided above for these properties, the potential noise barriers have not been included in the Scheme as they were not identified to be sustainable noise mitigation measures.</p> <p>As a result, the Applicant consider the operational noise mitigation proposed is in line with the policy aims set out in the NPSNN and NPSE, within the context of Government Policy on sustainable development, and also in line with the requirements of the EIA process. Therefore, the Applicant does not consider any further noise mitigation is required to meet these aims.</p> <p>10.4 The Applicant refers the Authority to the response given to <b>REP2-004h</b> paragraph 6.4.9, whereby in the absence of information relating to EWR at this time the assessment cannot be brought forward as part of the Scheme assessment.</p>
REP1-055i	<p><b>11 Archaeology</b></p> <p>11.1 The Council can confirm that the fieldwork element of advanced archaeological mitigation works in Field 34 has been completed and we have received a timetable for the post-excavation assessment works. The fieldwork element of the advanced archaeological mitigation works in Field 44 commenced in July 2021 and is ongoing with Archaeology Team having accompanied representatives from AECOM/Highways England on two monitoring visits thus far. Further monitoring visits are scheduled and the excavations in Field 44 are anticipated to continue (as per the agreed timetable) into the spring of 2022.</p> <p>11.2 With reference to the documents submitted in support of the DCO application, the Archaeology Team can confirm that we are content with baseline data gathered and presented in section 6.6 of Chapter 6, Cultural Heritage (<b>APP-075</b>). It is our opinion that this information is sufficient to describe the significance of any</p>

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	<p>heritage assets affected by the proposed scheme and to develop an appropriate mitigation strategy. In this regard, we consider that the information presented by the applicant on the baseline archaeological resource is compliant with section 5 of the NPSNN, paragraph 194 of the NPPF (revised July 2021), Policy HE1 of the Central Bedfordshire Local Plan 2015-2035 (adopted July 2021) and Reg 18 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended 2018). Whilst we accept the scheme will result in the loss of archaeological remains, which are an irreplaceable resource. It our considered opinion that the proposed mitigation will allow for a greater understanding of the historic environment within this part of Central Bedfordshire and create opportunities for enhancement of and public engagement with the resource.</p> <p>11.3 The application is also supported by an Archaeological Mitigation Strategy (<b>APP-238</b>). The Archaeology Team are broadly in agreement with the overarching principles set out Archaeological Mitigation Strategy with reference to the investigation and in some cases preservation in situ of archaeological remains affected by the proposed scheme in Central Bedfordshire. We are also pleased to see that our comments on the overarching themes and period specific research aims provided to AECOM in October 2020 have been considered in the preparation of this document. There are elements of the current version of the Archaeological Mitigation Strategy that we feel need revision. This largely relates to the fact that at present there is some disparity between this document and the agreed scopes of work and approved written schemes of investigation relating to the investigation and recording of Site 4 (Field 34) and Site 7 (Field 44) associated with planning consents CB/20/04391/FULL  <a href="https://centralbedfordshire.app.box.com/file/761556624216?s=4n0weqb62zxtzzz5obe13z41dpzdo">https://centralbedfordshire.app.box.com/file/761556624216?s=4n0weqb62zxtzzz5obe13z41dpzdo</a> 2d granted for archaeological excavation and engineering works with associated temporary change of use and formation of site compound comprising site offices, welfare facilities and off road parking facilities and and CB/20/04185/FULL  <a href="https://centralbedfordshire.app.box.com/file/756974384305?s=l99syg3fvqbbyfc4le4nf14cymtkhqro">https://centralbedfordshire.app.box.com/file/756974384305?s=l99syg3fvqbbyfc4le4nf14cymtkhqro</a> granted for archaeological excavation and associated engineering works This means that the Archaeological Mitigation Strategy needs to be amended to reflect the requirements of the A428 Joint Authorities Archaeology Brief.</p> <p>11. The key points of issue with the current version of the Archaeological Mitigation Strategy (APP238) are as follows:</p>

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	<ul style="list-style-type: none"> <li>• The Archaeological Mitigation Strategy should accord with the already approved scopes of work and written schemes of investigation for the advanced archaeological works (see more detailed issues below)</li> <li>• The Archaeological Mitigation Strategy should accord the A428 Joint Authorities Archaeology Brief (see more detailed issues below)</li> <li>• The project objectives (section 2.2) should include a commitment to making the physical (artefacts and ecofacts) archives publicly accessible, through their deposition at an accredited Museum/County Store. In the case of Central Bedfordshire this is the Higgins Art Gallery and Museum in Bedford. This is necessary to ensure that the project complies with paragraph 5.140 of the NPSNN, paragraph 205 and footnote 69 of the NPPF and policy HE1 of the Central Bedfordshire Local Plan 2015-2035</li> <li>• The Archaeological Mitigation Strategy must include details of all artefact/ecofact specialisms likely to be involved in the project. The current list in section 5.3 is partial. It is also recommended that the Local Authority Archaeological Officers are given the opportunity to comment on the proposed specialist input, as our local expertise means we may have knowledge of others who could/should be involved in the project.</li> <li>• The Site Specific Written Schemes of Investigation (discussed in section 6) should also include Data Management Plans, draft Site Specific Selection Strategies, and details of the proposed location for the final archives including the unique accession numbers assigned and a commitment to provide the relevant web citation for the digital elements of the archive to be deposited with the Archaeology Data Service. This information is required in order that they comply with the Chartered Institute for Archaeologists Standards and Guidance (as amended in 2020) and local requirements for Bedfordshire and Cambridgeshire. With reference to Site 4 (in Field 35) and Site 5 (Field 35) we suggest that the Site Specific Written Schemes of Investigation should draw on information obtained from the Advanced Works investigations. This should include approaches to the excavation methodology, environmental sampling/processing and artefact recovery. This is necessary to ensure lessons learnt from the Advanced Works are applied across the scheme.</li> <li>• Section 7 of Archaeological Mitigation Strategy deals with monitoring and at present reads as though the applicant is seeking to limit the amount of monitoring undertaken by the Local Authority Archaeological Officers. Our experience of monitoring the Advanced Works fieldwork phase of site 4 (and elsewhere) has demonstrated that the arrangements for monitoring/consultation meetings should not be fixed or</li> </ul>

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	<p>limited. We therefore suggest that the provision for monthly meetings is inadequate and should be amended to allow greater frequency. We also note this section is currently at odds with section 13 of the document which does not restrict the frequency of meetings and the already approved advanced works written schemes of investigation for F34 and F44.</p> <ul style="list-style-type: none"> <li>• Whilst we accept that the excavation/feature sampling strategy outlined in the Archaeological Mitigation Strategy is intended to be a guide. We recommend it is brought into line with the sampling strategies already agreed and approved for the Advanced Works sites. We also suggest that a commitment to liaise with the recipient Museum/County Store during finds processing (section 8.8) is added to this section.</li> <li>• Through liaison with the applicant and AECOM it is understood that part of Site 4 in Field 35 will also be the subject of preservation in situ, indeed it is shown as such in the table that forms part of Appendix D Archaeological Mitigation Action Areas. However, it is absent from Section 11. Clarification is required regarding whether this area will be subject to preservation in situ and Section 11, or Appendix D amended accordingly.</li> <li>• It is noted that 13.4.2 states the intention that all fieldwork inventions will be considered as single "site" for the purposes of post-excavation assessment and analysis. This is ambiguous and seems at odds with the proposals to investigate the individual sites on the basis of the four categories outlined in section 5.1.2. It also seems to suggest that local conditions that may have led to variation in character and significance of each individual site are not relevant. Given these points are highlighted as important in Sections 4 and Appendix C we suggest this statement needs clarification at the very least. Additionally, section 13.5 omits any involvement of the Museum/County Store in the publication and dissemination phases of the project. This needs to be revised to include the Higgins Art Gallery and Museum, who as the intended recipient of the physical archive for the sites in Bedfordshire are a key stakeholder in the project.</li> <li>• Section 14 needs to explicitly include the Higgins Art Gallery and Museum as a stakeholder during the preparation of both the Data Management Plan and site specific Selection Strategies for the project. Section 14.2.5 needs to be revised to clearly state that each site will be assigned a unique accession number by the recipient Museum/County Store, as this has already been agreed with the Higgins Art Gallery and Museum. It is also suggested that 14.2.7 is updated to include adherence to the deposition</li> </ul>

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	<p>guidelines produced by the recipient Museum/County Store and ADS as failure to comply with these could result in the rejection of the archives.</p> <ul style="list-style-type: none"> <li>The inclusion of a dedicated public archaeology and community engagement strategy as Appendix E is welcomed, however suggest that E.1.3.8 should be updated to include relevant elected members as an audience category</li> </ul> <p>11.5 There is also a need for the Archaeological Mitigation Strategy and the A428 Joint Authorities Archaeology Brief (prepared by Cambridgeshire County Council in consultation with Bedford Borough Council and Central Bedfordshire Council) to be in congruence. HE is requested to review its plan to ensure this is the case in liaison with CBC.</p> <p>11.6 The applicant is in possession of our comments on the Archaeological Mitigation Strategy and we are given to understand that they are working on a revised document which will take these comments into account. We can also confirm that colleagues in Cambridgeshire are making some minor revisions to the A428 Joint Authorities Archaeology Brief which would ensure that the two document complement one another. If this can be achieved, then it is the opinion of the Archaeology Team that Requirement 9 of the applicant's draft Development Consent Order (document reference <b>APP-025</b>) which indicates the development would be carried out in accordance with the Archaeological Mitigation Strategy would be appropriate. This will be reviewed when the revised documents are available. Subject to the review of those documents, in our opinion, this would mean that the proposed scheme complies with the section 5 of the NPSNN, chapter 16 of the NPPF (revised July 2021), Policy HE1 of the Central Bedfordshire Local Plan 2015-2035 (adopted July 2021) and that application can be successfully determined in relation to Reg 26 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended 2018).</p>
Applicant Response	<p>The comments are noted.</p> <p>Paragraph 11.4 lists the key points of issue with the Archaeological Mitigation Strategy (AMS) submitted with the DCO application <b>[APP-238]</b>. These have been reviewed and the AMS has been updated to address all these areas of concern. The updated version of the AMS <b>[TR010044/EXAM/9.23]</b> has been submitted at Deadline 3.</p> <p>The Cambridgeshire/Bedfordshire Brief for a Programme of Archaeological Investigation and Public Engagement Scheme has been agreed with the local authorities and forms Appendix B of the updated AMS <b>[TR010044/EXAM/9.23]</b>.</p>

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REP1-055j	<p><b>12. Flood Risk</b></p> <p>12.1 The main aspects of the scheme that have the potential to impact flood risk within Central Bedfordshire are located within parts of catchment 1, 3 and 4, as outlined in 'Drainage Engineering Plan Regulation 5(2)(O) &amp; 6(2) Key Plan'. These aspects are predominantly alterations to watercourses and the discharge of surface water from the highway, they have been considered in the Flood Risk Assessment (ES Appendix 13.4 (<b>APP-220 to APP-224</b>)) and Drainage Strategy Report (ES 13.3 (<b>APP-219</b>)).</p> <p>12.2 The Flood Risk Assessment (FRA) identified the River Great Ouse, a Main River, as the largest watercourse in the study area. The river forms the boundary between Central Bedfordshire Council (CBC) &amp; Bedford Borough Council, due to its classification as a Main River it has associated EA Flood Zone Models and is the EAs responsibility. There is one identified ordinary watercourse in the FRA that falls within the route and CBC boundaries, Rectory Farm (Stone Brook tributary), which has a catchment area of 0.90km<sup>2</sup>. Due to the size the Rectory Farm watercourse has no associated modelled Flood Zones.</p> <p>12.3 The FRA includes 'Annex B: Ordinary Watercourse Modelling Report', which houses the modelling of the Rectory Farm watercourse in a baseline state and under the scheme scenario, inclusive of any diversions and proposed culverting.</p> <p>12.4 The scheme, a realigned channel and two new culverts beneath the access road and beneath the new dual carriageway, was found to have a negligible impact on Rectory Farm on the inclusion of flood mitigation designed to replace the loss of flood zone caused by the carriageway's placement. The mitigation was conservatively designed for the 1% AEP (+65% CC) so in theory provides ample compensation for the flood zone loss. Any minor increases to channel flow or flood depth fall within the Order Limits and are on undeveloped agricultural land.</p> <p>12.5 The risk of structure blockages, sediment build up and potential backwater effects caused by high water levels in the River Great Ouse are mentioned and outlined as potential limitations of the modelling. A detailed maintenance plan is therefore key at the detailed design stage to clearly outline the ownership, techniques, and frequency for site drainage maintenance. In the event of a failure or blockage exceedance flow paths should ensure the flooding is maintained within the study area and is directed primarily to areas of flood zone mitigation.</p>



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Applicant Response	The Applicant notes the comments from Central Bedfordshire Council and the requirement to provide a detailed maintenance plan at the detailed design stage of the Scheme.
REP1-055k	<p><b>13 Drainage Strategy</b></p> <p>13.1 A drainage strategy is required to ensure that surface water discharge from the site is attenuated on site, discharged at acceptable rates, and undergoes adequate water quality treatment whilst primarily preventing an increase in flooding on or off site.</p> <p>13.2 The submitted drainage strategy outlines the key parameters and standards that should be followed to generate a detailed, sustainable drainage design. The submitted Drainage Strategy Report (ES Appendix (APP-219)) addresses the core requirements of a drainage strategy: · Manage surface water runoff from the development for up to and including the 1 in 100- year event (+40% CC), whilst incorporating the use of SuDS. · Discharge rate from the development will be limited to the equivalent greenfield 1 in 1- year rate or Qbar discharge rate, as agreed appropriate by the Local Planning Authority or IDB.</p> <ul style="list-style-type: none"> <li>• The use of SuDS has been designed in line with the CIRIA SuDS Manual (2015) and after consultation with the LLFA.</li> <li>• The loss of Flood Zone caused by the placement of the new carriageway has been considered and accommodated for through the provision of flood zone mitigation areas that compensate for the original loss of area. 13.3 Should the drainage strategy be delivered as specified on the ground then the flood risk posed to land, buildings and infrastructure within CBC should be negligible.</li> </ul> <p>13.4 The key to managing flood risk for the carriageway and drainage systems located within CBC boundaries for the long-term is ongoing maintenance. Provision of a detailed maintenance plan which outlines the ownership, techniques and required frequency of maintenance is pivotal in this role.</p>
Applicant Response	The Applicant notes and welcomes the comments from Central Bedfordshire Council. A detailed drainage management plan is to be provided during the detailed design stage.
REP1-055l	<b>14 Comments on draft DCO dated 26 February 2021 (Document 3.1 (APP-02)) / Development Consent Obligation</b>

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	<ul style="list-style-type: none"> <li>a) An appropriate fund contained in the Development Consent Obligation or secured in some other manner in connection with the DCO should be allocated and payable to CBC for addressing resulting safety, capacity, or amenity issues. CBC would welcome a discussion with HE over the appropriate level of funding.</li> <li>b) Station Road is not suited to accommodating significant construction traffic or extraordinary loads, and as such CBC requests that this is addressed in connection with the DCO (whether as a DCO requirement, incorporated documents listed in Schedule 2 or some other mechanism). CBC would welcome discussion with HE.</li> <li>c) Temporary or permanent signal control or other works are expected to be required to regulate traffic flows at the junction onto the A603 from Vinegar Hill. CBC would welcome a discussion with HE to agree an appropriate contribution to deliver these works as part of the Development Consent Obligation or a highways agreement.</li> <li>d) CBC would welcome discussion with HE on measures to mitigate the traffic and safety impacts of other diversion routes and incorporating them into the DCO requirements (or incorporated documents listed in Schedule 2), including the timing of any closures and any associated diversions in the context of the proposed works to Barford Road to ensure no conflict between the two.</li> <li>e) Monitor and Manage proposal - CBC would welcome a discussion with HE as to whether this is something that could be covered by a Development Consent Obligation, for example, or in some other manner in connection with the DCO, including timing, frequency, methodology, governance, triggers for intervention (including detriment to the operation of local road approaches), and funding.</li> <li>f) CBC requests that access over/under the A428 is easy as possible for people to access without using their cars, in particular securing sufficient width on the bridge deck for the Barford Road and would welcome discussion with HE regarding securing as a DCO requirement (or incorporated documents listed in Schedule 2).</li> <li>g) A vehicular link off the proposed A428 route to the east of Little Barford should be provided, to enable traffic to divert off this road to the new EWR station, and potentially to new homes, prior to it reaching the A1. CBC would welcome a discussion with HE regarding funding or provision in connection with the DCO.</li> <li>h) Sandy AQMA mitigation as a DCO requirement (or incorporated into documents listed in Schedule 2).</li> </ul>

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	<p>i) CBC requests that Table A-3 of the First Iteration Environmental Management Plan (APP-234) is updated so that there is greater clarity and confirmation of close liaison and contact with local authorities in the document.</p> <p>j) Additional noise and vibration monitoring and mitigation is requested on the matters outlined in this representation, with the mitigation secured as a DCO requirement (or incorporated documents listed in Schedule 2).</p> <p>k) CBC requests that the working hours in the DCO requirements are updated as follows: 8am to 6pm Monday to Fridays, 8am to 1pm on Saturdays and no working on Sundays or Bank Holidays. However, in view of the size and scale of the project, CBC would consider it would be appropriate to allow variation to these hours where particular circumstances required this and appropriate mitigation measures were in place.</p> <p>l) CBC requests that the proposed use of localised noise barriers is set out as forming part of the construction noise mitigation measures required under the First or Second Iteration of the Environmental Management Plan.</p> <p>m) Definition of “advanced works permission” on page 5 – insert date of planning permission as 8th April 2021.</p> <p>n) CBC would recommend the following underlined elements are deleted from the definition of “commence” in the draft DCO: “commence” means beginning to carry out any material operation (as defined in section 56(4) of the 1990 Act) forming part of the authorised development other than operations consisting of archaeological investigations and mitigation works, environmental surveys, <b><u>preconstruction mitigation works</u></b>, investigations for the purpose of assessing and monitoring ground conditions and levels, <b><u>remedial work in respect of any contamination or other adverse ground conditions, erection of any temporary means of enclosure, temporary hard standing, receipt and erection of construction plant and equipment, diversion and laying of underground apparatus and utilities, protection works, demolition (save in relation to Brook Cottages), site clearance, construction compound set up</u></b>, and the temporary display of site notices or advertisements, and “commencement” is to be construed accordingly;</p> <p>o) Article 13 (Construction and maintenance of new, altered or diverted streets and other structures) on page 13 – constructed highways etc. from completion will be maintained by the Local Highway Authority at its expense. However, CBC requests that funding for maintenance is paid by HE to CBC as commuted sum/s and secured by the Development Consent Obligation or other statutory agreement.</p>

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	<p>p) Schedule 2, paragraph 5 (Details of consultation) on page 58 – there are documents that CBC would like to be consulted on:</p> <ul style="list-style-type: none"> <li>i) Air Quality Management Plan;</li> <li>ii) Noise Management Plan;</li> <li>iii) traffic management plan</li> <li>iv) Detailed design of works on CBC highway;</li> <li>v) Highway lighting on any CBC highway;</li> <li>vi) Noise mitigation.</li> </ul> <p>q) Schedule 10 (Documents to be certified) on page 222, notable omissions that need to be added:</p> <ul style="list-style-type: none"> <li>• Transport assessment (APP-241 to 243) which includes the 'Monitor and Manage' mitigation;</li> <li>• Air quality mitigation; and</li> <li>• BS5228:2009 Parts 1 &amp; 2 for noise mitigation.</li> </ul>
Applicant Response	<p>5. For points a-d, please refer to the Joint Position Statement with Central Bedfordshire Council <b>[TR010044/EXAM/9.29]</b>.</p> <p>e. As set out previously through The Highways England: Licence 2015 (Licence), this places an obligation on the Licence holder (National Highways) in relation to the strategic road network (SRN) to “operate and manage in the public interest, in respect of both current activities and needs in providing effective stewardship of its long-term operation and integrity”. National Highways must, under the Licence, at paragraph 4.2(c) “ensure the improvement, enhancement and long-term development of the network”.</p> <p>In complying with 4.2(c), and Part 6 of the Licence, National Highways must: “Establish and maintain a clear understanding of the pressures upon and impacts of its network at both a national and route level (including in the preparation of route strategies, as required at 5.13 [of the Licence]), and be aware of the actions needed to improve conditions for users, and manage or mitigate existing problems, to inform the future development and improvement of the network and its performance.” To fulfil this commitment National Highways extensively monitors the performance of its network using data collected from daily counters,</p>

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	<p>manual counts and feedback from local authorities and its operational teams. The monitoring data and data from Post Operational Evaluations Data from major schemes is analysed to develop Route Strategies. The outputs of which drive study areas and form a key building block of National Highways' future works programme.</p> <p>As the obligation is placed on the Applicant through its License, this does therefore not need to be secured in the DCO itself.</p> <p>f. The Applicant refers to the previous response to REP1-055e.</p> <p>g. The Applicant refers to the previous response to REP1-055f.</p> <p>h. As set out in the Applicant's response to the Written Questions <b>[REP1-022]</b>, it is the Applicant's position that there have been no significant effects predicted as a result of the Scheme and therefore no mitigation measures are required in regard to the Sandy Air Quality Management Area (AQMA).</p> <p>As described in the Applicant's Response to the Relevant Representation <b>[REP1-021]</b>, under <b>[RR-016]</b>, using the traffic models and data generated for the Scheme, the air quality effects within the Sandy AQMA are predicted to be, at worst, imperceptible worsenings, with some small improvements recorded. This is set out in Chapter 5, Air Quality <b>[APP-074]</b> of the Environmental Statement. In summary, predicted changes would be -0.7 to +0.2 µg/m<sup>3</sup> in annual mean nitrogen dioxide. An imperceptible change (&lt;1% of the objective value of 40µg/m<sup>3</sup>) is one so small as to not be measurable and is therefore not considered to be a worsening in air quality at these receptors.</p> <p>These effects are not considered to be significant for air quality based on advice within the Design Manual for Roads and Bridges (DMRB) LA 105 air quality standard applied. As such, no mitigation is required to manage air quality effects associated with the Scheme.</p> <p>i. Please refer the Applicants Comments on the Local Impact Report <b>[TR010044/EXAM/9.22]</b>.</p> <p>j. Requirement 18 of the dDCO <b>[REP1-003]</b> states that prior to commencement of the authorised development, written details of the proposed noise mitigation for the use and operation of that part of the authorised development including noise barriers, noise bunds and low noise surfacing, has been submitted to and approved by the Secretary of State (SoS) following consultation with the relevant local planning authority. Further requirement 18 states that the written details must reflect the mitigation measures for operation including in Chapter 11 of the Environmental Statement <b>[APP-080]</b> or where it materially differs from these measures, it must be demonstrated that the mitigation proposed would not give rise to any new</p>

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	<p>or materially different environmental effects compared to those reported in the Environmental Statement. Therefore, the dDCO already ensures the noise mitigation incorporated into the Scheme and included in the Environmental Statement must be provided, and any changes must not give rise to materially new or materially different effects. No additional monitoring or mitigation i.e. in addition to that set out in the Noise and Vibration Chapter of the Environmental Statement <b>[APP-080]</b> and First Iteration of the Environmental Management Plan (EMP) <b>[APP-234]</b>, is proposed by the Applicant, see response to REP1-055h.</p> <p>k. The Applicant is not willing to change the core working hours as set out in Chapter 2 The Scheme <b>[APP-071]</b> of the Environmental Statement, as these time periods are required in order to deliver the Scheme within the overall construction programme. A consequence of a change to the core working hours would be an extension to the construction programme. However, the Applicant is willing to engage in discussions with the local authorities so that agreements can be sought when working close to sensitive locations, such as residential properties, or where there are specific activities, such as during school exams, where noise from construction could potentially be minimised. Where appropriate, discussions will be held with local authorities on these matters during the detailed design stage where mitigation can be discussed in more detail. This engagement will be secured in the next revision to the First Iteration Environmental Management Plan <b>[APP-234]</b>.</p> <p>l. The use of localised noise barriers as a construction noise mitigation measure is set out in the First Iteration of the Environmental Management Plan (EMP) <b>[APP-234]</b>. ESS-NV1 of the EMP requires a Noise Management Plan (NMP) to be developed at the detailed design stage as part of the Second Iteration EMP, which must include a range of industry standard good practice, including 'details and locations of all site hoardings, screens or bunds that would provide acoustic screening during construction'. Requirement 3 of the dDCO <b>[REP1-003]</b> states that the Scheme must be constructed in accordance with the Second Iteration EMP, therefore no change to the dDCO is required.</p> <p>m. The Applicant can confirm that the updated dDCO <b>[REP1-003]</b> submitted at Deadline 3 incorporated this change.</p> <p>n. The Applicant does not agree with the Authority that the elements identified should be removed from the definition of 'commencement' within the dDCO <b>[REP1-003]</b>. However, the Applicant is considering the above elements in the context of developing a 'Pre-commencement plan'. It is anticipated that this plan will provide a more detailed scope of works and appropriate control measures to be implemented.</p>

Reference Number	Summary of Written Representation/Applicant Response
	<p>It is the intention of the Applicant to incorporate the Biodiversity pre-commencement plan within this overall Pre-commencement plan.</p> <p>The Pre-commencement plan will be produced for Deadline 4 (4 November 2021).</p> <ul style="list-style-type: none"> <li>o. The Applicant is currently in discussions with the Authority in relation to the handover of highway assets. Any agreement in relation to the maintenance obligations of those assets will be contained within a legal agreement when completed.</li> <li>p. i and ii - The Air Quality Management Plan and Noise and Vibration Management Plan are presented within Annex A and Annex B of the First Iteration Environmental Management Plan (EMP) <b>[APP-234]</b>. Air quality and noise and vibration mitigation measures are presented in Chapter 2, The Scheme <b>[APP-071]</b>, Chapter 5, Air Quality <b>[APP-074]</b>, Chapter 11, Noise and Vibration <b>[APP-080]</b>, the First Iteration EMP <b>[APP-234]</b> and the Schedule of Mitigation <b>[APP-235]</b> within the Environmental Statement. Requirement 3 of the draft DCO <b>[REP1-003]</b> requires consultation on the Second Iteration EMP with local authorities. <ul style="list-style-type: none"> <li>iii Requirement 11 of the draft DCO <b>[REP1-003]</b> requires consultation on the traffic management plan with the local highway authorities.</li> <li>iv – This matter is addressed in the side agreement between the Applicant and Central Bedfordshire Council.</li> <li>v- Requirement 17 of the dDCO <b>[REP1-003]</b> requires consultation on the lighting scheme to occur with the local authorities on matters relating to their function.</li> <li>vi - Requirement 18 of the dDCO <b>[REP1-003]</b> requires consultation on noise mitigation with the local authorities.</li> </ul> </li> <li>q. i – See response to (e) above. <ul style="list-style-type: none"> <li>ii – See response to (p) (i) and (ii) above</li> </ul> </li> </ul> <p>iii – The Applicant does not agree that there is a need to certify the British Standards as part of the dDCO <b>[REP1-003]</b> as these Standards are referred to and therefore secured within the First Iteration EMP.</p>



Reference Number	Summary of Written Representation/Applicant Response
REP1-055m	<p><b>15 Conclusion</b></p> <p>15.1 CBC remains supportive of the proposal in principle, but would welcome further discussion with HE to address its concerns set out above and incorporation of requirements into the draft DCO and any Development Consent Obligation to address its concerns and secure necessary mitigation, particularly regarding:</p> <ul style="list-style-type: none"> <li>• Construction phase traffic impacts affecting Central Bedfordshire;</li> <li>• Construction routing;</li> <li>• Diversion routes;</li> <li>• Operational phase traffic impacts affecting Central Bedfordshire;</li> <li>• Bardford Road bridge, particularly in relation to sustainable transport;</li> <li>• Requested A428 vehicular link to the east of Little Barford;</li> <li>• Air Quality including the Sandy AQMA; and</li> <li>• Noise &amp; vibration.</li> </ul>
Applicant Response	The Applicant is committed to continuing engagement with the Authority and notes their support and concerns.

## REP1-060 Davison & Company (Great Barford) Limited

Reference Number	Written Representation/Applicant Comment
REP1-060a	<ol style="list-style-type: none"> <li>These Written Representations are submitted on behalf of Davison &amp; Company (Great Barford) Limited ('Landowner') in response to the application by Highways England Company Limited ('Applicant') for the A428 Black Cat to Caxton Gibbet Road Improvement scheme ('DCO'). The DCO seeks development consent for the proposed authorised development described in Schedule 1 to the DCO and any other development authorised by the DCO ('Scheme').</li> <li>The Landowner's property at Crow Green (the 'Land') comprises 164 hectares situated to the northeast of Caxton Gibbet junction. A significant proportion of the Land would be adversely affected by the Scheme. <u>Summary of Written Representations</u></li> <li>The Landowner's position on matters remains as substantially set out in the Relevant Representations submitted on 9th June 2021 which are attached at Appendix 1 of these Written Representations.</li> <li>The Landowner does not object to the principle of the Scheme.</li> <li>Nevertheless, the Landowner objects to the proposed compulsory acquisition of the Land and in particular that part of the Land identified for extraction of aggregates from borrow pits to be used for the purposes of the Scheme (plot 14/16a of the DCO). The Landowner contends that either temporary possession powers, or (preferably ) a voluntary contractual agreement are sufficient for the rights sought by the Applicant in respect of plot 14/16a, and, therefore compulsory acquisition powers are neither necessary nor justified in the public interest.</li> <li>The Landowner also seeks other safeguards by agreement of protective provisions as set out below.</li> <li>Despite the Landowner's best endeavours there has only been, to date, limited engagement with the Applicant. The Landowner requests that the Applicant proactively engages in discussions on detailed heads of terms for a voluntary agreement and the Landowner awaits a substantive response from the Applicant in this regard.</li> <li>In light of the accelerating DCO timetable, the Landowner now seeks urgent engagement with the Applicant to progress detailed discussions on a potential voluntary agreement. <u>Written Representations</u></li> </ol>

Reference Number	Written Representation/Applicant Comment
	<p>9. The Landowner does not object in principle to the Scheme and considers its objectives broadly align with the Landowner's own development proposals for part of the Land. The Landowner has advanced proposals for a strategically important major employment development on the Land. They seek urgent agreement with the Applicant to safeguard the proposed development of the Land (the 'Proposed Development'), which may otherwise be adversely impacted by the Scheme. In the absence of such safeguards and protective provisions the Landowner objects to the details of the Scheme and the proposed permanent and temporary compulsory purchase powers sought by the Applicant over the Land.</p> <p>10. The Landowner submitted a Relevant Representation on 9th June 2021 which is attached below as Appendix 1. The Relevant Representation substantially sets-out the Landowner's position in respect of the Scheme, and the safeguards and protective provisions sought.</p> <p>11. These Written Representations should be read together with and alongside the Relevant Representations. The Written Representations supplement and update the Relevant Representations where necessary.</p> <p>12. Central to the Landowner's position is that there is no or no compelling case in the public interest for the permanent acquisition of the Land and in particular Plot 14/16a. The authorised development affecting Plot 14/16a is set out in Schedule 1 of the draft DCO ('dDCO') as follows: "Work No. 111 – As shown on sheets 14 and 15 of the works plans a construction area including borrow pit and site compound area north-east of the Caxton Gibbet junction north Roundabout (Work No. 109b)."</p> <p>13. The Landowner contends that powers of temporary possession will suffice for Work No. 111, particularly where the Applicant has confirmed that they would not intend to retain ownership of Plot 14/16a following completion of the works in this location.</p> <p>14. The Landowner notes that other Interested Parties have also made representations that the extent of compulsory acquisition powers sought by the Applicant are excessive. The Examining Authority has put questions to the Applicant seeking further information and justification for the powers sought (Q1.5.2.3 of The Examining Authority's written questions and requests for information (WQ1) Issued on Friday 20 August 2021).</p> <p>15. In any event, the Landowner's primary case is that neither compulsory purchase or temporary possession powers are necessary or justified as it is willing to enter into a suitably worded agreement with the Applicant to grant them, subject to appropriate safeguards and protective provisions, such temporary rights as are necessary for the purposes of the Scheme and specifically at Work No 111.</p>

Reference Number	Written Representation/Applicant Comment
	<p>16. The Landowner also seeks safeguards (either as protective provisions in the DCO, or by agreement with the Applicant) to ensure that the Proposed Development and the Scheme are otherwise compatible. The following matters are relevant and others matter that may emerge in the course of the DCO Examination and in discussions with the Applicant:</p> <ul style="list-style-type: none"> <li>• That an access to the Land suitable for development from the new road layout around the Caxton Gibbet junction is not precluded by the design of the Scheme.</li> <li>• Provision for direct access to the public highway from the new road layout at the Caxton Gibbet junction (i.e. such that the Landowner does not need to rely on a right of way to access the Land in this location).</li> <li>• That ducts for services and utilities are to be left open.</li> </ul> <p>17. By way of update to the Relevant Representations on the engagement between the Landowner and the Applicant:</p> <p>a. In the absence of the Applicant providing draft head of terms for a voluntary agreement (as had previously been agreed), the Landowner drafted and sent to the Applicant detailed heads of terms for a land and works option agreement on 7th July 2021. Amongst other things, these draft heads of terms proposed that the Landowner would provide the Applicant with:</p> <ul style="list-style-type: none"> <li>• Temporary possession of Plot 14/16a necessary to complete the borrow pits works as set out in Works No. 111 of the dDCO.</li> <li>• Temporary possession of Plots 14/16b and 15/6b necessary to undertake the authorised works sought in the dDCO.</li> <li>• Permanent acquisition of the freehold interest in DCO plot 14/1b and 15/6a necessary to undertake the authorised works sought in the dDCO.</li> </ul> <p>b. No substantive response has been received from the Applicant to these draft heads of terms. The Applicant's agent has recently indicated that the Applicant is interested in entering into a lease agreement for the borrow pit land at Plot 14/16a. However, the Applicant has suggested that the Applicant is still looking into how this can be accommodated and what terms would be acceptable to the Applicant.</p>

Reference Number	Written Representation/Applicant Comment
	<p>c. The following actions agreed by the Applicant at a meeting between the Parties on 20 June 2020 also remain outstanding. These actions are:</p> <ul style="list-style-type: none"> <li>• Prepare draft agreements for acquisition of land and rights</li> <li>• Provide estimates of the soil to be removed from borrow pits</li> <li>• Layout and location of construction compound at Plots 14/16b and 15/6b.</li> </ul> <p>18. The Landowner now seeks urgent and sustained engagement from the Applicant to seek to agree terms for a voluntary agreement in the mutual interests of both parties and to obviate the need for requesting the draconian compulsory powers sought in the DCO. In this regard, the Landowner notes that the CPO Guidance requires compulsory purchase to be a tool of last resort and for reasonable attempts to be made by an applicant to acquire land/ powers over land by agreement.</p> <p>19. However, In the absence of a suitable voluntary agreement being reached with the Applicant which avoids the permanent acquisition of Plot 14/16a and provides for appropriate safeguards to avoid or mitigate significant adverse impacts of the Scheme on the Proposed Development, the Landowner objects to the details of the Scheme and the proposed DCO powers sought over the Land which (for the reasons set out above and in the Relevant Representations) are neither necessary nor justified in the public interest.</p> <p>20. The Landowner reserves the right to supplement these Written Representations orally and/or in writing at or following the forthcoming Compulsory Purchase Hearing.</p>
Applicant Comment	<p>Please refer to the Applicants responses to RR-027 Carter Jonas LLP on behalf of Davison &amp; Company (Great Barford) Limited contained in the Applicant's Response to Relevant Representations <b>[REP1-021]</b>, submitted at Deadline 1.</p> <p>A part of the land included within Plot 14/16/a, shown on Sheet 14 of the Land Plans <b>[APP-008]</b>, is required for permanent works comprising a significant section of proposed new carriageway and associated infrastructure. It is therefore not correct that the Applicant has confirmed that they would not intend to retain ownership of Plot 14/16a following completion of the works in this location. Retention of Plot 14/16a is an essential requirement of the Scheme and there is a compelling case in the public interest for permanent acquisition.</p> <p>The Applicant is willing to discuss temporary occupation of the other land included within Plot 14/16a required for the borrow pit and is exploring the possibility of reaching an agreement to use this land under a short term private</p>

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	<p>lease arrangement, subject to it being a suitable alternative and provide the Applicant with the rights necessary to carry out the works.</p> <p>Discussions with the landowner on this proposal have taken place and it was discussed in meetings held between the Applicant and the landowner on the 15 and 23 June 2021. The Applicant has also now received draft Heads of Terms (HoTs) from the landowner for an agreement for the land and rights required for the Scheme and is seeking to move matters forward. Further to this, the Applicant issued a draft Option Agreement to the landowner on the 7<sup>th</sup> September concerning acquisition the land that is permanently required for the scheme.</p> <p>The Applicant however maintains the position that all land within Plot 14/16a, including the borrow pit land should remain in the Order as permanent acquisition, due to the nature of the works proposed on the land and the extent to which it will be materially altered.</p> <p>To impose material changes on a landowner through temporary possession powers and expect the land to be returned to the landowner in a materially changed condition would not be acceptable, therefore permanent acquisition is required.</p> <p>Furthermore, although the land will be materially altered by extraction, the Applicant does not consider that it will be constructing permanent works on this land, so it would be required to reinstate under the current provisions for temporary possession included in the DCO if relied upon. This requirement would be incompatible with the intended use of the land and the extent to which it will have been materially altered.</p> <p>As has been previously advised, the Applicant is committed to continuing engagement with this landowner on matters relating to permanent and temporary land acquisition/possession sought and the detailed design of the scheme, in particular around safeguarding the landowner's development aspirations.</p>

## REP1-062 Duncan & Maxine Buchanan

Reference Number	Written Representation/Applicant Comment
REP1-062a	<p><u>Our Representation</u></p> <p>In response to Highways England's proposals, we are instructed to give notice of our client's objection to the Scheme and to make the following representations:</p> <p>(i) <u>There has been no meaningful engagement between Highways England and our Client to discuss the Order and the potential acquisition of our Clients Land, despite repeated requests. No offer has been made that has enabled appropriate discussions that could have enabled early acquisition by agreement before resorting to making the Order, which goes against the guidance set out in MHCLG's Guidance on the Compulsory Purchase Process and the Crichel Down Rules.</u></p> <p>Within their application for a Development Consent Order Statement of Reasons for the compulsory acquisition of land and rights and the temporary occupation of land Highways England State the following:</p> <p>4.9.1 <i>As well as consulting all persons identified as having an interest in the Land about the Scheme proposals in accordance with section 42 of the PA 2008, the Applicant is aware of the requirement (paragraph 25 of the CA Guidance) to seek to acquire land by negotiation wherever practicable. The power to acquire land compulsorily should only be sought if attempts to acquire by agreement fail.</i></p> <p>4.9.2 <i>At the same time, the Applicant notes that the CA Guidance also recognises that where proposals would entail the compulsory acquisition of many separate plots of land, it may not always be practicable to acquire each plot of land by negotiation. As the CA Guidance states "Where this is the case, it is reasonable to include provision authorising compulsory acquisition covering all the land required at the outset".</i></p> <p>4.9.3 <i>The Applicant has engaged with all category 1 landowners, leaseholders and occupiers with a view to acquiring their land interest by agreement by writing to them to inform them of the Applicant's willingness to negotiate to acquire the Land by agreement, and to invite dialogue at that point. Letters were issued to all affected Landowners where permanent acquisition and permanent rights are required on 18 September 2020 and to all Landowners with temporary rights; all leaseholders and occupiers on 15 October 2020. As a result, the Applicant is in the process of engaging with a number of land interests with regard to the acquisition of land and interests by agreement; and</i></p>



Reference Number	Written Representation/Applicant Comment
	<p><i>negotiations will be ongoing throughout the DCO process. The status of such negotiations is set out in Annex B to this Statement.</i></p> <p>The status for Our Client is summarised as follows:</p> <p><i>The Applicant issued an offer of negotiations letter on the 18th September 2020, inviting the land interest to complete and return a form expressing their willingness to discuss the acquisition of their land by agreement. To date the form has not yet been returned.</i></p> <p>The status shown against our Client is misleading at best. Our Client has been in discussions with Highways England now for two years, having started their discussions in June 2019, in an attempt to understand the impacts on their proposed residential development. To date whilst there have been discussions and correspondence, it cannot be said to be meaningful engagement. There has been no attempt to understand the impact on our Client who is losing nearly a third of their Property nor has there been any attempt made to negotiate the acquisition of land and rights needed to deliver the Scheme. No heads of terms have been received and no offers have been made to our Client to date.</p> <p>It would be our opinion that Highways England have failed to engage appropriately with our Client and have therefore not discharged their duty under MHCLG's Guidance on the Compulsory Purchase Process and the Crichel Down Rules.</p> <ul style="list-style-type: none"> <li>(ii) Insufficient information or explanation has been provided to our Client to enable proper understanding of why the inclusion of the Property is required for the Scheme. In particular the changes in the design of the Scheme between the 2019 and 2020 consultation that included additional land for the creation of the flood storage area.</li> <li>(iii) From the limited information provided to date there is no supporting evidence to demonstrate the benefits of using our client's land, as opposed to using alternative sites or as to whether any alternative methods could have been considered to reduce the impact on our client's land.</li> </ul> <p>Within their Statement of Reasons, Highways England state the following:</p> <p><i>Para 5.3.3 The Applicant considers that the land included in the draft DCO is the minimum land-take required to construct, operate, maintain and mitigate the Scheme necessary to achieve the objectives of the Scheme. The Applicant has sought to achieve a balance between minimising land-take and securing sufficient land to deliver the Scheme, noting that the detailed design of the Scheme has yet to be developed. In that context, the limits of the Land have been drawn as tightly as possible so as to avoid unnecessary</i></p>

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	<p><i>land take. In the event that less land proves to be required in a particular area at a later stage, the Applicant would only seek to acquire that part of the Land that is required and in all events, will seek to minimise effects on land interests.</i></p> <p><i>Para 5.5.1 As explained in Chapter 2 of the Consultation Report [TR010044/APP/5.1]; Chapter 3, Assessment of alternatives of the Environmental Statement [TR010044/APP/6.1] and Chapter 2 of the Case for the Scheme [TR010044/APP/7.1] the Applicant has explored alternatives options for the Scheme.</i></p> <p><i>5.5.2 In designing the Scheme and determining the Land subject to compulsory acquisition and temporary possession powers, the Applicant has considered alternatives and modifications to the Scheme to minimise the potential land take. These alternatives and modifications were consulted on and the preferred route has been chosen based on a thorough consideration of relevant issues. This process is described in detail in the Environmental Statement and the Case for the Scheme [TR010044/APP/6.1] and [TR010044/APP/7.1].</i></p> <p><i>5.5.3 Following public consultation, the Applicant selected the most appropriate option. This selection took account of various factors, including, amongst others, views of consultees, including persons with a land interest. Other factors included environmental impacts, meeting the objectives of the Scheme, affordability, value for money, safety, construction and operational considerations.</i></p> <p>Despite repeated requests to Highways England and their officers our Client has yet to receive a meaningful response to their queries and technical questions regarding the balancing ponds and flood attention works, in particular. Our Client sought answers to the following:</p> <ul style="list-style-type: none"> <li>(i) Justification and engineering requirement underpinning the need for the works that impact their Property.</li> <li>(ii) Site selection process and why their land was chosen over land in the vicinity.</li> <li>(iii) Why the impact on their Property worsened in 2020 following the 2019 consultation and additional land was needed to deliver flood attention works</li> <li>(iv) Finally justification for the permanent acquisition of land as compared to temporary occupation.</li> </ul> <p>We attach at Appendix 1 examples of the requests that have been made along with answers that we deem are not detailed enough or are simply unacceptable justification for the compulsory acquisition of land. For example, in December 2020 our Client sought a technical meeting to understand the impacts on site. It took Highways England</p>

Reference Number	Written Representation/Applicant Comment
	<p>until 18 May 2021 to respond after our Client chased to be told, "Please see below our response to the information you requested. This is included within our DCO application" which is disappointing.</p> <p>Furthermore, In trying to understand Highways England requirements for the changes to the flood attenuation ponds our Client was told in correspondence that the "I'm afraid I can't supply the full flood risk assessment yet as it is not fully complete" makes for difficult reading. If the technical information did not exist in November 2020, how can Highways England state within their Statement of Reasons that they have undertaken an appropriate site selection process, that their designs are up to scratch and that our Client's Property was the best option for the Scheme.</p> <p>Finally, our Clients response to Highways England dated 26 May 2021 provides a useful chronology of events and discussions that highlights the difficulties our Client has faced over the last two years in trying to understand why Highways England need to impact their Property in this way and they continue to seek answers to those questions,</p> <p>As Highways England were unable or unwilling to assist our Client in a meaningful way. Our Client appointed WSP, a reputable firm of engineers to review what information was available, Their advice is summarised as follows:</p> <p><i>Whilst the alternative design may require more land than the proposed layout, according to HE's calculations this would equate to 0.0386 hectares of additional land which is considered to be a modest amount in the overall context of the Scheme. Furthermore, due to the drainage design issues described on pages 3 &amp; 4 of this note, subject to further design iteration there would appear to be an opportunity to reduce the land requirement of the alternative design such that the overall land requirement of each design could be broadly similar.</i></p> <p><i>These comments are largely due to drafting issues when preparing the alternative design as it was only possible to use pdf versions of the Scheme drawing to generate the alternative design. They could be satisfactorily addressed through further design iteration and through the availability of drawings and topographical information in AutoCAD format.</i></p> <p><i>As the extent and amount by which the link road (alternative design) is closer to residential properties is localised, this is not considered to be a significant issue and appropriate noise mitigation measures could be provided if necessary.</i></p> <p><i>Similar to iii) above, the nature of this issue is not considered to be significant and could be addressed through localised landscape mitigation works</i></p> <p>A copy of their initial review is attached at Appendix 2.</p>

Reference Number	Written Representation/Applicant Comment
	<p>We ask that the Examiner give consideration to the engineering requirement and justification for the acquisition of land that in our opinion is based on poor / no engineering calculations and excessive in nature. We ask that consideration is given to the relocation or reduction of the land required permanently to allow for the delivery of much needed housing.</p>
Applicant Comment	<p>Please refer to the Applicant's responses to RR-030 Savills (UK) Limited on behalf of Duncan Buchanan contained in the Applicant's Response to Relevant Representations <b>[REP1-021]</b>, submitted at Deadline 1.</p> <p>In relation to the four points raised about balancing ponds and flood compensation area:</p> <ul style="list-style-type: none"> <li>i) The ponds are needed to prevent the new highway drainage increasing the risk of flooding and to meet water quality discharge requirements. The ponds will allow surface water runoff from part of the new Roxton Road Link to be drained to local watercourses at a rate that mimics natural runoff rates. They are common features of new road schemes.</li> <li>ii) The ponds could be located on either side of the new link road and have been designed to fit within land to the east of the new link road, between the new road and the rear of properties, rather than taking additional land to the west. They are sited as close to the receiving watercourse as possible whilst not being within the flood plain or flood compensation areas</li> <li>iii) The flood compensation areas were added after Summer 2019 as the overall design and assessment of impacts developed. The new road is located in areas relatively close to Begwary Brook and removes some of the natural floodplain storage volume. The flood compensation areas replace the natural floodplain storage volume that would be lost.</li> <li>iv) The flood compensation areas are taken permanently in order to ensure that the levels of them are not altered in the future. Altering the levels within a flood compensation area would increase flood risk.</li> </ul> <p>In relation to the alternative road alignment put forward as part of "Appendix 2" of the written representation, this proposes an alternative link between The Lane, Wyboston and Chawston Lane, starting at a point approximately 100m east of Top Farm (on Wyboston Lane) at the north end and opposite College Farmhouse on Chawston Lane at the south end. A separate link for Nags Head Lane is proposed from the west end of Nags Head Lane to Chawston via residential gardens and a field to the south. This is in lieu of presumably the entire Roxton Road Link. It also proposes stopping up of part of the existing Roxton Road. The main route proposed would not be appropriate for several reasons, including, but not limited to:</p>

Reference Number	Written Representation/Applicant Comment
	<p>a. It would require widening of The Lane over a length of at least 750m from the HE Payne haulage yard and inclusion of a footway/cycleway. This would require acquisition of residential gardens on one or both sides of the road fronting The Lane.</p> <p>b. Chawston Lane would need to be widened from the plant hire yard over a length of 770m to the junction of Chawston Lane and Roxton Road and inclusion of a footway/cycleway. This would in places require acquisition of residential gardens and parts of commercial properties on one or both sides of the road fronting Chawston Lane. Widening may even be required further east over a distance of approximately 770m, to the road sweeper hire premises.</p> <p>c. Widening of Roxton Road from its junction with Chawston Lane through to the tie-in with the proposed roundabout that is being provided as part of the Scheme over a length of approximately 470m and inclusion of a footway/cycleway. This would require acquisition of agricultural land on one or both sides of the road and potentially parts of residential and commercial properties fronting Roxton Road.</p> <p>d. South Brook passes beneath this section of Roxton Road at a slight bend and the culvert carrying South Brook would need to be extended.</p> <p>e. The proposal for Nags Head Lane would require acquisition of parts of residential gardens and also part of the field to the south.</p> <p>f. The proposal caters for the bungalows that front the A1 just south of The Lane but does not cater for access from the two residential properties further south, but north of Nags Head Lane. These two properties would either be completely isolated and would have to be acquired by the Applicant, or would have to continue to have direct access to the A1 northbound carriageway. Neither scenario is considered acceptable.</p> <p>g. The proposed main route would sever a public footpath and would cross diagonally across agricultural fields.</p> <p>h. The proposal ignores that access is still needed for properties to the south, including the Gleneden plant hire site and adjoining land, which currently have direct access to the A1 northbound carriageway, just north of the existing Black Cat roundabout. A new route of at least 780m is needed to provide this access regardless of where the route to The Lane is to be located.</p>

Reference Number	Written Representation/Applicant Comment
	<p>The Applicant notes the following point: <i>'nor has there been any attempt made to negotiate the acquisition of land and rights needed to deliver the Scheme. No heads of terms have been received and no offers have been made to our Client to date.'</i> The statement included in the Applicant's application documents to confirm that no form had been returned to confirm willingness to negotiate by this Interested Party is correct. However, the Applicant followed up outstanding responses in June 2021 and the form was returned on 3 July 2021. On receipt of the form, the District Valuer arranged a meeting with the landowner which was held on 16 August 2021. Discussions remain ongoing and the Applicant notes the recent request from the Landowner for a further meeting which will be arranged as soon as practicable.</p>

## REP1-075 Edward Wootton

Reference Number	Written Representation/Applicant Comment
REP1-075a	The proposal affects a small parcel of land â€ˆ Plot 2/17a. Access from the new road to the adjacent land should be provided at this location. Screening should be provided.
Applicant Comment	The Applicant is not required to provide an access onto the highway that is not necessary and would require the compulsory acquisition of third-party land.



## REP1-077 Historic England

Reference Number	Summary of Written Representation/Applicant Response
REP1-077a	<p>3. <b><u>Historic England Advice: Designated Heritage Assets</u></b></p> <p>3.1 The Environmental Statement (ES) Chapter 6 (Cultural Heritage) summarises the assessment of impact on listed buildings, registered historic parks, scheduled monuments and conservation areas in the vicinity and we would broadly accept the findings. We do not have specific comments to make on the majority of the grade II listed historic buildings assessed in this document. However, we would like to comment on the assessment of the grade I and II* listed and registered historic park and scheduled monuments. We would also like to comment on the assessment of four grade II listed buildings where direct physical impact is proposed.</p>
Applicant Response	The Applicant notes the response from Historic England.
REP1-077b	<p>3.2 The grade II* listed parish church of St Mary is situated in Roxton village, an historic settlement which is designated as a conservation area and situated to the south west of the proposed Black Cat junction. The church mainly dates from the 14<sup>th</sup> and 15<sup>th</sup> centuries and sits in a churchyard at the northern side of the village. There are large trees in the churchyard and the 15<sup>th</sup> century west tower is relatively short, but it is still visible from outside the churchyard. The building historically stood on the northern edge of the village with open fields beyond. There are presently some modern houses to the north of the church, but beyond these the land remains open to the present Black Cat roundabout. The tower can also be seen from fields to the east, rising above the village school.</p>
Applicant Response	The Applicant notes the response from Historic England.
REP1-077c	<p>3.3 Paragraph 6.9.218 of the ES Chapter 6 notes that the Kelpie Marina access road would involve 'further erosion of the agricultural landscape around the settlement' of Roxton while paragraph 6.9.220 concludes that 'permanent minor adverse magnitude of impact on the conservation area is predicted'. Paragraph 6.3.54 confirms that this would equate to 'less than substantial' harm to the significance of the conservation area in terms of the National Planning Policy Framework (NPPF). We would accept this, but question if the expansion of the Black Cat roundabout, including newly elevated roadways, might also have an impact.</p>

Reference Number	Summary of Written Representation/Applicant Response
	Additional lighting and traffic noise from the elevated roadways might also increase the effect of the development within the setting of both village and church.
Applicant Response	<p>The Applicant notes the agreement of less than substantial harm to the Roxton Conservation Area.</p> <p>The assessment of effects on the settlement at Roxton presented in Chapter 6, Cultural Heritage <b>[APP-075]</b> of the Environmental Statement takes into consideration potential impacts from the Scheme in its entirety, with specific consideration of the potential for new visual effects resulting from the expansion of Black Cat Roundabout, including newly elevated roadways. This also includes consideration of associated impacts from the proposed lighting and resulting traffic noise. The assessment identifies a noticeable change in the agricultural landscape setting of the conservation area as a result of the Scheme, concluding that this represents less than substantial harm to the asset.</p>
REP1-077d	<p>3.4 The ES chapter 6 does not fully address these issues but further assessment has been provided in the document 'Further Clarification of Effects on Designated Assets' (submitted to HE by applicant on 11th August 2021). This acknowledges that the church tower is 'visible in wider landscape views from the A1 to the east' but claims that 'the visibility of the church in the wider landscape does not contribute to this [historical interest]'. However, it is also stated that 'the agricultural landscape around the village contributes [to] its understanding as a small rural settlement.' This seems to suggest a distinction between the contribution setting makes to the significance of a rural historic settlement and the contribution made to the significance of a church which is part of a rural historic settlement. Not only does this seem to contradict the statement in the ES that 'the listed buildings in the village ... setting is considered to be the village itself' but we do not accept this distinction and consider the agricultural setting of the church does contribute to its historic significance.</p>
Applicant Response	<p>The 'Further Clarification of Effects on Designated Assets' was submitted to Historic England as a draft document. A revised document was submitted at Deadline 2 <b>[AS-010]</b>. This document clarifies the Applicant's consideration of the setting of the Church of St Mary Magdalen, Roxton and acknowledges that, while the church is not prominent in the landscape, the rural landscape surrounding it contributes to the setting of both the church and the village. This was taken into consideration when assessing the effect of the Scheme on the designated assets as presented in paragraphs 6.9.218 – 6.9.222 in Chapter 6, Cultural Heritage <b>[APP-075]</b> of the Environmental Statement.</p>

Reference Number	Summary of Written Representation/Applicant Response
REP1-077e	3.5 We consider the increase in size, complexity and height of the Black Cat roundabout to the north of this eastern side of the church's setting could further erode the rural character and potentially lead to 'less than substantial' harmful impact on the significance of St Mary's church in terms of the National Policy Statement for National Networks (NPSNN) paragraph 5.134. We would accept the ES (paragraph 6.9.22) conclusion that there would be less than substantial harm to the conservation area but contend that this would also be the case for the church. The degree of impact and potential for any mitigation could be established by additional visualisations of the junction from the field east of the church but on the basis of the information available we consider there could be less than substantial harm to the significance of the parish church.
Applicant Response	The Applicant notes the agreement of less than substantial harm to the Church of St Mary Magdalen, Roxton. It is acknowledged that the Church of St Mary Magdalen makes an important contribution to the Roxton Conservation Area and is visible from outside the village.
REP1-077f	3.6 Croxton Park is Registered at grade II* as an historic landscape and is situated immediately to the south of the existing A428 road. Within the boundary of the registered park is the Scheduled remains of the medieval village of Croxton (NHLE 1006783), the grade II* listed Croxton park mansion house as well as number of heritage assets associated with it, Manor Farm house and the parish church of St James, both listed at grade II*. All these designated assets form an historic landscape of high importance and in many ways can be considered as a single, integrated entity.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077g	3.7 Paragraph 6.9.271 of the ES Chapter 6 states that to 'introduce new road infrastructure into the rural surroundings of the park...would also result in road traffic being reassigned onto the new dual carriageway and away from the asset[s], leading to reduced noise and light impact'. We would agree with this assessment and that of paragraph 6.9.272 in as much that the heritage assets within the historic park would 'experience no change' amounting to 'no harm to significance' and a 'slight beneficial effect' overall.
Applicant Response	The Applicant notes the response from Historic England.

Reference Number	Summary of Written Representation/Applicant Response
REP1-077h	3.8 However, the registered park itself and the Scheduled medieval village border the existing A428 and so are closer to the proposed line of the road than some of the listed buildings within the park. The image from viewpoint 44 (Figure 7.15.43.01 - 7.15.46.04 in ES 6.2 Photomontages) looks from the edge of North Lodge Plantation which stands in the fields across the A428 from the registered park. It shows the road partly in a cutting but with the existing Toseland Road crossing it on a bridge and vehicles visible on the main carriageway to the west. The park can still be experienced in views across the A428 from the area in which the photograph was taken and so it forms part of its setting. We have questioned the significance of this part of the setting and the effect the development could have on its rural quality.
Applicant Response	Further clarification on the significance of this part of the setting of Croxton Park is presented in paragraphs 3.1.1 – 3.1.9 of the Historic England and Bedford Borough Council Clarification Note' <b>[AS-010]</b> submitted at Deadline 2.
REP1-077i	3.9 The document 'Further Clarification of Effects on Designated Assets' (submitted to HE by applicant on 11th August 2021) reviews historic map evidence for the historic use of the area north of the A428 from Croxton park. The historic boundary of the park appears to have been long-established at the southern edge of the road but by 1887 North Lodge Plantation had been established along the northern side of the road and projecting northwards into an area previously known as Woodway field. This in part defines the existing extent of the park but could also, as the document concludes, suggest 'possible expansion [of the park] in the late Victorian period'. We also note that randomly placed trees are depicted in the field opposite the entrance to Croxton High Street from the A428 on the 1887 map. Some of these trees still survive and could, again, suggest a change from the purely agricultural use of this land to parkland. The results of archaeological evaluation (ES appendix 6.6 Evaluation Trenching Phase I, part I, 5.20.8 and 5.21.5, and figures 5.45 and 5.49) also suggests evidence of ploughed fields from the medieval period in this area. This could suggest an earlier connection with the Scheduled medieval village within the park.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077j	3.10 The possibility of this area being a late extension to Croxton park overlaying fields around the medieval village is an interesting one which could increase its historic significance. Regardless of this, it remains part of the setting of the registered park and scheduled medieval village and we would consider the presence of the road seen in viewpoint 44 could reduce the rural quality of this part of the setting and potentially harm the designated heritage assets. Placing this in terms of the National Networks National Policy Statement we

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	<p>conclude this would be 'less than substantial' harm under paragraph 5.134. We would therefore question the conclusion in the ES, chapter 6, 6.9.272 that these heritage assets would 'experience no change' amounting to 'no harm to significance' and that a 'slight beneficial effect' would result overall and also that in document 7.1 Case for the Scheme paragraphs 5.5.10 and 5.5.32 which suggest an overall enhancement to the registered park. To mitigate this effect landscaping is proposed which would reduce the visibility of the road and reduce traffic noise. However, even After 15 years the image from viewpoint 44 suggests the road bridge would still be seen. We would therefore encourage additional landscaping to further reduce the impact, perhaps by a greater depth of planting.</p>
Applicant Response	<p>The assessment presented within paragraphs 6.9.269 – 674 in Chapter 6, Cultural Heritage <b>[APP-075]</b> of the Environmental Statement acknowledges the contribution that the area to the north of the existing A428 makes to the setting of the asset. The subsequent information presented in paragraphs 3.1.1 – 3.1 of the Historic England and Bedford Borough Council Clarification Note' <b>[AS-010]</b> provides evidence that the area may form part of the later expansion of the park, reinforcing its contribution to the significance of the asset.</p> <p>Notwithstanding this, paragraph 6.9.271 in Chapter 6, Cultural Heritage <b>[APP-075]</b> of the Environmental Statement acknowledges that construction would result in the introduction of new road infrastructure into the rural surroundings of the park. It further states in paragraph 6.9.272 that '<i>assets within the park are likely to experience no change as a result of the Scheme... the exception being the Registered Park itself...</i>'. This takes into consideration the impacts of the new carriageway. A conclusion of slight beneficial effect is presented due to the associated improvements due to the de-trunking of the existing A428. Less than substantial harm is concluded. The Applicant notes that this is agreed in the response.</p>
REP1-077k	<p>3.11 The parish church of St Denys at Little Barford lies to the north of the proposed new carriageway. Listed at grade II* the church originated in the Norman period and still contains important 12<sup>th</sup> century work, although much of the building dates from the 14<sup>th</sup> century. The church is set at some distance from the line of the new road and with the existing Barford Road and railway line between them. The road would be a significant development in the wider landscape in which the church sits and might result in increased noise audible from the churchyard. This asset is not assessed in the ES, chapter 6, but based on a site assessment we do not consider it would result in harm to the historic significance of the listed church in terms of the NPSNN.</p>
Applicant Response	<p>The Applicant notes the response from Historic England.</p>

Reference Number	Summary of Written Representation/Applicant Response
REP1-077l	3.12 Tempsford Church End conservation area includes the grade II* listed parish church of St Peter in the Church End area. The historic settlement is set along the old Great North Road to the west of present A1. St Peter's church principally dates from the 14 <sup>th</sup> and 15 <sup>th</sup> centuries and is a major building in the village. Paragraph 6.9.225 of the ES Chapter 6 states that although the conservation area is 'in proximity to the construction activity' there would be 'no measurable change to significance.' The parish church is not mentioned in this passage nor are the permanent changes to the Black Cat roundabout, but that is considerably further to the north and we would agree with the assessment and do not consider the development would harm the historic significance of the church in terms of the NPSNN.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077m	3.13 The Scheduled (NHLE 1005393 and grade II listed) bridge at Tempsford is a three arched stone bridge with a bridle path tunnel on the eastern riverbank, includes flanking flood bridges and was built to the designs of architect J Savage in 1814-20. The bridge carries the northbound carriageway of the A1. Paragraphs 6.9.214-15 of the ES Chapter 6 state that neither the construction or operation of the improved road would result in change to the setting of the bridge and no harm to its significance would result. We would accept that conclusion.
Applicant Response	The Applicant notes the response from Historic England and acceptance by Historic England of the conclusion reached by the Applicant.
REP1-077n	3.14 The scheduled bowl barrow at Round Hill (NHLE 013521) is situated west north-west of College Farm, Roxton some 80 metres westwards of the existing A 428. Paragraph 6.9.192 of the ES Chapter 6 notes how the setting of the Bronze Age barrow is on the gravel terraces above the Great Ouse river where it was 'designed to be visible in the landscape' and that part of its interest 'derives from its association with surrounding Bronze Age barrows as part of a wider landscape of prehistoric features'. We note that the geophysical survey has identified possible tracks leading to this barrow from the north west and south east, adding to information about its context. The landscape setting does already include considerable modern development including the existing A428 road, but the new road would be brought closer to approximately 30 metres. Paragraph 6.9.194 also notes that the new Black Cat junction and the new road on the eastern side of the river Great Ouse would also be visible from the vicinity of the barrow. The assessment concludes that this would result in a slight adverse (not significant) effect, which Paragraph 6.3.54 confirms would

Reference Number	Summary of Written Representation/Applicant Response
	equate to 'less than substantial' harm to the significance. We would agree with that assessment, which is repeated in document 7, Case for the Scheme 5.5.18.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077o	3.15 Given that Round Hill barrow was not included as a visual receptor in any assessments we raised initial concerns with the applicant that the proposed bund and planting along the A421 could potentially also negatively affect views from the barrow towards the valley to the east. However, further photographic views provided by the applicant in their document 'Further Clarification of Effects on Designated Assets' (submitted to HE on 11 <sup>th</sup> August 2021) confirm the existing landscape in which this change will be made and demonstrates minor effects, which alleviates this concern. A borrow pit is also proposed in the landscape setting of the barrow to the north, although we note that the proposal is to return this to agriculture. We would therefore accept the conclusion of the ES regarding these aspects of the development.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077p	3.16 The moated enclosure at The Lane, Wyboston (NHLE 1012076) is situated 80 metres west of the Order Limits extent. Paragraphs 6.9.199-200 of the ES Chapter 6 accepts that the Roxton link road would cause 'very minor changes' to the moated site's setting but that this would have a neutral effect and not harm its significance. Following the applicant's presentation to us of further supporting photographic material (contained in 'Further Clarification of Effects on Designated Assets' submitted to HE on 11 <sup>th</sup> August 2021), we would agree with this conclusion. However, we are pleased to note proposed requirements on the DCO relating to the final lighting, signage and surfacing strategies and would welcome consideration of the setting of the monument in the placement of lighting, signage and screening when designs for these elements of the scheme are finalised.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077q	3.17 The scheduled moated site at Pasture Farm (NHLE 1019177) is situated 2 kilometres north west of Caxton. Paragraph 6.9.208 describes how the surrounding farmland historically formed part of the estate of the manor of Brockholt and place it in context of the medieval villages at Caxton and Eltisley. Paragraphs 209-211 of the ES Chapter 6 state that trees around the monument would 'provide a degree of screening to the



Reference Number	Summary of Written Representation/Applicant Response
	asset' but that the development of the Caxton Gibbet junction would result in 'permanent impact on the significance of the asset through changes to its setting'. This impact would have a slight adverse effect which paragraph 6.3.54 confirms would equate to 'less than substantial' harm to the significance of the monument in terms of the NPSNN.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077r	<p>3.18 Further detail is provided in the Landscape and Visual Effects Chapter (ES Chapter 7), where the asset has been assessed as a residential receptor, R102. This highlights the potential visibility of construction activities (7.9.61), and also the higher 'moderate adverse (significant) possible impacts on views in the first year of operation (Table 7.3), from the junction in short and middle distance views, and also potentially prominent vehicles, signage and lighting columns (7.9.107). However, it is considered that after 15 years, when there is more vegetation, visual effects would not be significant against the existing baseline (7.9.150, and 'Visual Baseline and Visual Effects Schedule' 6.3 ES Appendix 7.4 page 86), partly due to existing dense belts of trees along the boundary of Pastures Farm. A representative viewpoint was not prepared as part of the DCO submission, although images looking towards the A428 were included in the 'Further Clarification of Effects on Designated Heritage Assets'(submitted to HE on 11<sup>th</sup> August 2021).</p>
Applicant Response	<p>Appendix 7.4 <b>[APP-182]</b> (page 86) concludes that both construction and operation of the Scheme would be screened by the vegetation that surrounds the farm complex, which also largely forms the boundary to the moat. While there may be glimpses of traffic in Year 1, by Year 15 the existing vegetation, and new planting, would reduce visibility of the Scheme, such that "it would be barely noticeable in the view compared to the baseline."</p> <p>Therefore, this is consistent with the conclusion of paragraphs 6.9.209 – 6.9.210 of Chapter 6, Cultural Heritage <b>[APP-075]</b> of the Environmental Statement. This concludes:</p> <p><i>"The monument is surrounded by trees which provide a degree of screening to the asset. Construction of the Caxton Gibbet junction would result in a permanent impact on the significance of the asset of no more than minor adverse magnitude, as it would still be possible to understand the site and its landscape context.</i></p> <p><i>Construction of the Scheme would have a slight adverse effect (not significant) on this asset."</i></p>

Reference Number	Summary of Written Representation/Applicant Response
REP1-077s	<p>3.19 These conclusions may be broadly acceptable and a level of harm has been assessed. However, in our view it is difficult to envisage fully how visible the junction in particular would be (and hence how significant potential impacts on the setting will be). We would therefore advise that further visualisation would enable the conclusions of the ES to be evidenced. We also note that operational Traffic noise will also be increased (Chapter 11 Noise and Vibration 11.9.78). We note that no enhancement measures relating to cultural heritage have been incorporated into the design of the scheme (ES Chapter 6 6.8.19), and, if following mitigation there are still residual impacts, further visualization may provide a basis for assessment as to whether any S106 or S111 commitments regarding potential offsetting mitigation in relation to residual effects would be appropriate (for example, relating to management of the site). We are pleased to note proposed requirements on the DCO relating to the final lighting, signage and surfacing strategies, and we would welcome consideration of the setting of the monument in the placing of lighting, signage and screening as designs for these elements of the scheme are finalised.</p>
Applicant Response	<p>We are exploring the option for a landscape visualisation for this site. This will be submitted to Historic England if this becomes available.</p> <p>As stated in paragraph 11.9.78 of Chapter 11, Noise and Vibration <b>[APP-080]</b> of the Environmental Statement, minor increases in traffic noise are predicted at Pastures Farm once the Scheme is operational, due to traffic transferring from the existing A428 to the new dual carriageway which moves slightly closer, in addition to the new dual carriageway carrying a greater volume of traffic at higher speed through the Scheme. As traffic noise will continue to dominate the acoustic environment, and the property has a direct line of sight of the new dual carriageway and Caxton Gibbet junction, both of which are elevated in this section, a significant adverse effect has been identified.</p> <p>Notwithstanding this increase in noise, there is not considered to be a worsening in the effect than that assessed for the construction phase in paragraphs 6.9.209 – 6.9.210 of Chapter 6, Cultural Heritage <b>[APP-075]</b> of the Environmental Statement. As stated in paragraph 6.9.210 it will still be possible to understand the site and its landscape context, and the change in noise will not affect the significance of the heritage asset. As stated in paragraph 6.9.208 it has archaeological and historic interest related to the development of settlement patterns and for information on the distribution of wealth and status in the landscape. Furthermore, buried archaeological and environmental evidence will also survive. Neither the archaeological nor historic interest will alter by the change in noise. While its setting does contribute to its significance, this is in relation to surrounding farmland and its connection to medieval villages nearby. This relationship will not be affected.</p>

Reference Number	Summary of Written Representation/Applicant Response
	The Applicant does not consider that there is any requirement for further enhancement via either Section 106 or Section 111 commitments, as there is no impact to warrant this.
REP1-077t	3.20 The historic core of Eltisley village is designated as a conservation area and includes the moated site at Pond Farm (NHLE 1019176) and the grade II* listed parish church of St John the Baptist and St Pandionia. The church is situated on the western edge of the village with an open aspect to fields on its western and southern sides which is important in understanding a building which was historically set away from the core of the settlement. Modern housing and the existing A428 stands to its north. The moated site with the grade II listed Pond farmhouse on the moat platform is closer to the green at the centre of the historic core of Eltisley but also has housing and the existing road between it and the proposed location of the new carriageway.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077u	3.21 Paragraphs 6.9.236 of the ES Chapter 6 state that construction of the Eltisley link road to the north of the village would cause 'temporary visual and noise intrusion into the setting of the conservation area which would equate to less than substantial harm'. We accept this assessment and the conclusion of the document 'Further Clarification of Effects on Designated Assets' (submitted to HE by applicant on 11 <sup>th</sup> August 2021) that due to buildings, trees and hedgerows the development would not harm the parish church or Pond Farm moated site in terms of the NPSNN.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077v	3.22 The deserted medieval village site at Weald (NHLE 1006849) is situated to the south of the existing A428 in agricultural land that contributes to an understanding of the historic settlement site. Paragraph 6.9.256 of the ES Chapter 6 notes how constructing the new road further to the north of the site would 'permanently improve the setting of the asset through a reduction in road traffic noise' and would result in a 'slight beneficial effect'. We would agree with that assessment.
Applicant Response	The Applicant notes the response from Historic England.

Reference Number	Summary of Written Representation/Applicant Response
REP1-077w	3.23 The deserted medieval village site at Wintringham (NHLE 1006815) is situated to the south of the existing A428 in agricultural land that contributes to an understanding of the historic settlement site. Paragraphs 6.9.261-263 of the ES Chapter 6 notes that while constructing the new road further to the north of the scheduled site would result in 'a reduction in traffic and light' 'there may be further effects to the west' associated with the construction of a new junction. However, it is concluded, in paragraph 6.9.263 that landscape planting would reduce that effect and there would be no harm to significance of the scheduled site.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077x	3.24 The Desk-Based Assessment notes there are undesignated heritage assets in the vicinity of Wintringham Hall, including the moat around the hall itself and a further moat west of Wintringham Farm. The remnants of ridge and furrow are also recorded in pasture/parkland to the west of the moat, along with a possible plough headland and drainage ditches (Field 71 in the archaeological assessments, ES Appendix 6.3 'Analysis of Aerial Images' Appendix 4 AP1). As is noted in the archaeological assessment submitted with the application, (Environmental Statement Appendix 6.7 7.2.20) these remains are part of the wider landscape of medieval remains which form the context of the Wintringham deserted medieval village (NHLE 1006815). We would like to comment on them as part of its setting and potentially as contributing to its historic interest.
Applicant Response	The remains recorded on the aerial photographs comprise medieval and/or post-medieval earthworks in the parkland to the west of Wintringham Hall. They include a small moat, a fragment of ridge and furrow, a possible plough headland and drainage ditches. The LiDAR imagery indicates that the plough ridges and ditch on the south side of the access road have now been levelled but the other features survive as earthworks (see Appendix 6.3, Analysis of Aerial Images [APP-165]). However, these remains are all located outside the Scheme Order Limits, barring part of the plough headland and some ridge and furrow.
REP1-077y	3.25 Paragraph 5.124 of The NPSNN states that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the policies for designated heritage assets', and these assets have significance as part of the wider settlement area, of which the scheduled monument is part.
Applicant Response	The Applicant notes the response from Historic England.

Reference Number	Summary of Written Representation/Applicant Response
REP1-077z	<p>3.26 The scheme brings development closer to these undesignated earthworks, and the slip road would therefore affect the setting of the non-designated asset. This will be screened, as per the planting mitigation for Wintringham Hall and associated buildings (for which impacts are noted to be minor adverse) (ES 6.9.238). Although the archaeological evaluation was negative (trenches 1556, 1590, 1555 and 1372, Appendix 6.7), indicating a low likelihood of impacting remains in the scheme area, the planting may affect the northern remnants of ridge and furrow and the plough headland/route, as identified in the analysis of aerial images (ES Appendix 6.3 'Analysis of Aerial Images' Appendix 4 AP1). We would therefore encourage careful consideration of construction and planting in this area, to avoid impacts on earthworks whilst achieving the desired aims of the mitigation with regards to Wintringham Hall. We are pleased to note proposed requirements on the DCO relating to the final lighting, signage and surfacing strategies, and suggest that the earthworks are considered alongside the Grade II listed Wintringham barn and granary.</p>
Applicant Response	<p>The earthworks recorded on aerial photographs in the part of Field 72 within the Scheme are no longer extant. The geophysical survey found only <i>"very slight traces of ridge and furrow cultivation"</i>. As stated above, the trenches in this area were largely blank of features. The only furrow identified was investigated and it contained 18<sup>th</sup>-19<sup>th</sup> century pottery only.</p>
REP1-077aa	<p>3.27 We note a possible proposal has been made for community based archaeological work in this area, including hedgerow survey, which could support enhancement of public understanding of the historic environment. For other associated remains (site 17 in the Archaeological Mitigation Strategy), it is proposed to store spoil on the site, with a methodology for appropriate reburial and safeguarding to be proposed under a WSI. The sensitivity of the site to rutting and compaction is noted. We would refer to local authority comments on these matters.</p>
Applicant Response	<p>This information is contained in Appendix C of the updated Archaeological Mitigation Strategy (AMS) <b>[TR010044/EXAM/9.23]</b>. It should be noted that the introduction to this Appendix states: <i>"The document forming Appendix C was designed to set the framework for the development of the Archaeological Mitigation Strategy and was updated in October 2020. It does not represent a scope of works."</i></p> <p>Notwithstanding this, Appendix E of the AMS contains the Public Archaeology and Community Engagement Strategy, and if recording of hedgerows is deemed an appropriate activity it can be undertaken.</p>

Reference Number	Summary of Written Representation/Applicant Response
	<p>It is <b>not</b> proposed to preserve Site 17 in the area proposed for multi-construction purposes in Field 70. As stated in Section 5 and Appendix D of the AMS [TR010044/EXAM/9.23], this site will be subject to excavation and mapping of ridge and furrow alignment.</p> <p>It is possible that the confusion has arisen from information in paragraph 11.3.1 of the AMS [TR010044/EXAM/9.23] which deals with preservation of archaeological remains. This paragraph states “<i>perhaps elements of Site 17</i>” – it does not state that this area will be retained under the soil bund, or other construction use, in its entirety. It is anticipated that any proposals to preserve archaeology under soil storage or other construction use would only be determined following topsoil strip and initial investigation of remains. A Site Specific Written Scheme of Investigation (SSWSI) would need to be produced detailing any exact methodology for retention, which must be in line with Section 11 of the AMS. Paragraph 11.3.2 states “<i>The Archaeological Contractor will include in the SSWSI methods that they intend to use to protect sensitive buried archaeological remains, including measures to prevent damage (such as deep rutting) caused by vehicles or plant. This will include detail on the effects of compression and loading (whether dynamic or static) and site specific protective measures, including the extent of the area to be protected, the depth of fill required and the type of fill.</i>” This SSWSI would need to be agreed with the relevant Curators.</p>
REP1-077ab	<p>3.28 Chawston Manor and Fishponds (NHLE 1010114) lies to the northwest of the Black Cat Roundabout. Paragraph 6.9.4a of the ES Chapter 6 notes that due to its topographic location and the extent of planting surrounding the asset it would have no inter-visibility with the scheme. We would agree with this assessment, which the applicant has also confirmed in their ‘Further Clarification’ document.</p>
Applicant Response	<p>The Applicant notes the response from Historic England.</p>
REP1-077ac	<p>3.29 The grade II listed milepost on the Cambridge Road at Eltisley (NHLE 1331394) is assessed in the ES chapter 6, paragraph 6.9.145 where it is concluded that it is thought to survive in the same location as depicted on 19th century maps. Historic mile markers gain significance from their location relative to the turnpike roads they marked and this is an interesting finding. Unfortunately, the milepost has not been found during survey and it is possible it has already been moved during previous road works. If it is identified it is proposed to relocate it to a position as close to that location as practical. Paragraph 6.9.148 recognises the effect on historic significance from relocating mile markers and concludes that to do this would result in less than substantial harm (in terms of the NPSNN paragraph 5.134). We would agree with that assessment and that in document 7.1 Case for the Scheme paragraphs 5.5.22 and 5.5.25. If the milepost is found an appropriate methodology for its removal, storage and resetting in a precise and agreed location should be</p>



Reference Number	Summary of Written Representation/Applicant Response
	produced and agreed, as suggested in paragraph 5.5.21 of document 7.1 Case for the Scheme. Historic England's listing section should also be informed so the listing can be amended. If the milepost is conclusively lost HE should also be informed.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077ad	<p>3.30 The milestone at the junction of the A428 and St Ives Road (NHLE 1163534) situated north of Eltisley is listed at grade II. It would be affected by the realignment of the B1040 and relocated to a position which the applicants state would be 'as close to the current location as possible'. The relationship between the milestone and the historic turnpike road it marked is important in understanding its historic significance. Although the precise new location has not been established the ES chapter 6, paragraph 6.9.135 concludes this would result in a 'moderate adverse (significant)' impact which paragraph 6.3.54 confirms would equate to 'less than substantial' harm to the significance in terms of the NPSNN paragraph 5.134. We would accept this conclusion and that in document 7.1 Case for the Scheme paragraphs 5.5.22 and 5.5.25. An appropriate methodology for its removal, storage and resetting in a precise and agreed location should be produced and agreed as suggested in paragraph 5.5.21 of document 7.1 Case for the Scheme. Historic England's listing section should also be informed so the listing can be amended.</p>
Applicant Response	The Applicant notes the response from Historic England.
REP1-077ae	<p>3.31 The milepost south of Pembroke Farm and west of Caxton Gibbet (NHLE 1162760) is listed at grade II. Its location appears to be on a section of the existing A428 which will not be bypassed but might be removed to create the new carriageway so it is proposed to relocate the milepost. The ES chapter 6 paragraph 6.9.157 concludes that this would result in 'less than substantial' harm to its significance in terms of the NPSNN paragraph 5.134. We would accept this and that in document 7.1 Case for the Scheme paragraphs 5.5.22 and 5.5.25. As the relationship between the milepost and the historic turnpike road it marked (the existing A428) is important in understanding its historic significance it should ideally be relocated alongside the old road as close to its current position as possible. If the loss of the existing road in this area would require it to be moved a considerable distance it is possible its significance might be better conserved if it were placed beside the new carriageway. This judgement could be part of agreeing an appropriate methodology for its removal, storage and resetting in a precise location as suggested in paragraph 5.5.21 of document 7.1 Case for the Scheme. Historic England's listing section should also be informed so the listing can be amended.</p>



Reference Number	Summary of Written Representation/Applicant Response
Applicant Response	The Applicant notes the response from Historic England.
REP1-077af	3.32 Brooke Cottages are a pair of traditional, dwellings dating from the 18th century situated close to the western side of the north-bound carriageway of the A1 trunk road. The timber framed construction is largely hidden by external render and covered by half-hipped thatched roofs. They are small, modest dwellings constructed in the vernacular traditional of rural domestic building of the period but date from the latter part of that tradition before the increased use of brick for more humble buildings largely brought timber framed construction for domestic properties to an end. Buildings of this type were once commonplace but are now relatively rare and often overlooked in favour of the more impressive timber framing employed in higher status house in the preceding centuries. That these cottages should have survived this close to the much-widened A1 road is perhaps surprising, but they are also unusual in retaining a number of internal features which illustrate their traditional use.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077ag	3.33 The current scheme for improving the Black Cat roundabout requires the demolition of Brooke Cottages. The need for the proposed development to clear the Brooke Cottages' site for a vehicular carriageway is summarised in document 7, Case for the Scheme paragraphs 5.5.41-2 and 5.5.46-9 and in Appendix 7.7, Black Cat Design Options. Historic England are not able to comment on the highways engineering issues or the conclusion there is no deliverable design option for the Black Cat roundabout which would enable Brooke Cottages to be retained in its existing location. If, following examination, other options do come forward we would be interested to consider them, but as the proposals stand, we would accept the requirement to demolish the Cottages.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077ah	3.34 The applicant has helpfully set out the policy context in which demolition of Brooke Cottages should be considered in paragraphs 5.5.34-40 of document 7, Case for the Scheme. We would draw attention to the quotation from the NPSNN paragraph 5.133 which states that in 'developments leading to substantial harm to or total loss of significance of a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm...' It may be that the case for demolishing

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	(i.e. physical dismantling) Brooke Cottages has been made in highways engineering terms and is necessary to deliver such benefits. However, this dismantling might not necessitate 'total loss of significance', a form of impact on designated heritage assets which is clearly distinguished in the NPSNN. We are pleased the applicant recognises this and has explored the possibility that the Cottages might be re-erected at another location in order to avoid total loss of significance of the listed building. However, the process by which this has been done, the quality of the evidence submitted with the application and the conclusions drawn raise a series of issues.
Applicant Response	Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding further works required to understand the significance of Brook Cottages and the potential for relocation.
REP1-077ai	3.35 The NPSNN 5.128 states that 'the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development' and to allow this NPSNN 5.127 asks that the applicant 'should describe the significance of any heritage assets affected ...[and]... the level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.' In the case of Brooke Cottages not only is it a statutorily designated heritage asset but the potential impact of the proposals is profound. We therefore consider that a detailed assessment of significance is required.
Applicant Response	The Applicant notes the response from Historic England.  Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding further works required to understand the significance of Brook Cottages.
REP1-077aj	3.36 Brooke Cottages Heritage Appraisal (ES, appendix 6.10) has been submitted with the application to provide information on the significance of the heritage asset. The evidence from the building fabric on which the appraisal is based is the result of a single visual inspection carried out on 12th March 2018. The Appraisal gives some basic information on the building but is considerably lacking in detail gathered from this inspection. For example, the method of thatching is not suggested, no evidence of construction is reported from the internally visible members of the wall frames, roof and floor structure, the presence of a plinth for the wall framing, or its materials and the brick type and bond and of the chimney stacks are also not mentioned. Several internal features are mentioned but not described or dated.

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Applicant Response	<p>The information requested requires further, intrusive survey of Brook Cottages. It has not been possible to undertake these works due to access restrictions. The Applicant is continuing to pursue access to the structure in order to undertake this survey.</p> <p>Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding further works required to understand the significance of Brook Cottages.</p>
REP1-077ak	<p>3.37 We appreciate that further site visits have not been possible since the covid-19 epidemic occurred a year after the 2018 inspection. However, it is stated in document 7.1, Case for the Scheme 5.5.52, that the applicants' consideration of the buildings' significance, condition and structural properties is 'based on' this inspection. We consider the resulting Appraisal inadequate as a basis for assessment, especially considering the impact of dismantling the building (whether for re-erection or not).</p>
Applicant Response	<p>Information relating to Brook Cottages is presented in paragraphs 6.6.61 – 6.6.64 and 6.9.187 – 6.9.188 in Chapter 6, Cultural Heritage <b>[APP-075]</b> of the Environmental Statement and the accompanying Appendix 6.10: Brook Cottages Heritage Appraisal <b>[APP-178]</b> is based on a visual inspection undertaken in 2018.</p> <p>A subsequent visit was undertaken in June 2021. The results of this are presented in the Brook Cottages Technical Note <b>[AS-009]</b> submitted at Deadline 2. Due to access restrictions placed on the building by the landowners, no intrusive works were possible. The Applicant is continuing to pursue access to the structure to undertake further surveys.</p> <p>Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding further works required to understand the significance of Brook Cottages. The proposed methodology for any survey works would be agreed with Bedford Borough Council and Historic England.</p>
REP1-077al	<p>3.38 Appendix E of the Case for the Scheme, Brook Cottages Statement, sets out details of the applicants' consideration of the listed building based on the Appraisal. It starts by looking at the structural condition of the building to assess which parts of the fabric might be suitable for dismantling and relocation. It states (paragraph A5.3.4, repeated in A5.6.2) that despite no detailed investigation of the fabric 'an assumption has been made regarding the structure of the building and the potential for salvage of its historic fabric' by professional advisors. However, the extent of the surviving structural members, the presence of any replacement work or reused earlier fabric and the historic significance of any of this material cannot be known without investigation. Also, crucially, the condition of the fabric cannot be known. The conclusion that</p>

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	<p>the timber frame 'in its entirety', the chimneys, integrated bread ovens and timber staircase are 'most likely' to be suitable for removal are not based on evidence of their condition, degree of survival or if their historic significance merits their retention. The following assumption (A5.3.5, repeated in A5.6.2) that the wattle and daub infill, render and other features 'will not withstand removal due to their fragile nature' is also not based on evidence. The historic significance, or even existence, of some of these elements is not known nor is their condition. There has also not been any exploration of the range of methodologies which might be employed in dismantling and transportation. This is necessary before conclusions can be drawn about what, if any, significant historic fabric could be relocated.</p>
Applicant Response	<p>The information requested requires further, intrusive survey of Brook Cottages. It has not been possible to undertake these works due to access restrictions. The Applicant is continuing to pursue access to the structure in order to undertake this survey.</p> <p>Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding further works required to understand the significance of Brook Cottages and the potential for relocation.</p>
REP1-077am	<p>3.39 The Brook Cottages Statement (Appendix E, section A5.6) also addresses the potential impact re-erecting Brooke Cottages following dismantling for either a continuation of its existing and intended use as residences or as a museum exhibit. It repeats the assertions about which fabric might be retained or lost (in A5.3.4-5) but goes on to comment on the impact of refurbishing the Cottages for residential use. A5.5.4 states that 'the existing plan form of the building could not be retained, as it is not of sufficient size [so] the two dwellings would need to be reconfigured to form one larger property to be viable for sale as residential use in the open market.' This statement is not supported by any evidence and the degree of harm to historic significance this might entail is also not set out. Paragraph A5.6.5 gives detailed statement about the changes which might be necessary to comply with building Regulations if the Cottages were re-erected. This is also not supported by any evidence and the degree of harm to historic significance this might entail is not set out. Refurbishing accommodation in Brooke Cottages could affect historic significance but the impact of this should be assessed when considerably more information about their historic significance and the impact of the proposals is known.</p>

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Applicant Response	<p>The information requested requires further, intrusive survey of Brook Cottages. It has not been possible to undertake these works due to access restrictions. The Applicant is continuing to pursue access to the structure in order to undertake this survey.</p> <p>Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding further works required to understand the significance of Brook Cottages and the potential for relocation.</p>
REP1-077an	<p>3.40 Section A5.7 of the Brook Cottages Statement explores the criteria for listing which might considered for Brooke Cottages as re-located residences. In A5.7.1 items a-d are set out. These are appropriate factors to consider, but a series of assumptions are made and no evidence presented to support the conclusions in paragraph A5.7.2 that 'to make it habitable and viable for residential use on the open market would erode its historic interest to such an extent that it would not meet the criteria for listing' or in A5.7.3 that 'the extent of retention of existing fabric [in a museum] could be sufficient to meet the criteria for designation'. We would accept that it is likely any method of relocation for either of the proposed uses would have a major effect on the listed building so considering its listed status is a valid exercise. However, Historic England would be able to do this when the applicant has provided sufficient information about its historic significance and the impact of the proposals for relocation and reuse is known.</p>
Applicant Response	<p>The information requested requires further, intrusive survey of Brook Cottages. It has not been possible to undertake these works due to access restrictions. The Applicant is continuing to pursue access to the structure in order to undertake this survey.</p> <p>Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding further works required to understand the significance of Brook Cottages and the potential for relocation.</p>
REP1-077ao	<p>3.41 In terms of establishing the significance of Brooke Cottages (including the level of survival of significant historic fabric) and assessing the impact of dismantling and relocation for the two potential uses we consider the information submitted with the application at this stage does not satisfy paragraph 5.127 of the NPSNN or allow the assessment required by paragraph 5.128. We would therefore not accept the conclusions about the buildings' significance and the effect of the proposed demolition and uses contained in the Brooke Cottages Heritage Appraisal (ES, appendix 6.10) and Brook Cottages Statement (of the Case for the Scheme, Appendix E) and reflected in the Case for the Scheme 5.5.43- 63. However, we are aware that the applicant has experienced difficulties in carrying out further investigation of the building and are pleased that</p>

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	section A5.4 of the Brooke Cottages Statement proposes further study. This chiefly suggests a structural survey, but this should also involve a program of detailed investigation of historic fabric to inform detailed statement of significance. We requested this as an initial phase of investigation during preapplication discussions with the applicant and a brief for the work has been prepared.
Applicant Response	<p>The information requested requires further, intrusive survey of Brook Cottages. It has not been possible to undertake these works due to access restrictions. The Applicant is continuing to pursue access to the structure in order to undertake the survey.</p> <p>Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding further works required to understand the significance of Brook Cottages and the potential for relocation.</p>
REP1-077ap	<p>3.42 This further structural, condition and historic building survey would provide evidence on which to draw conclusions about a number of issues which in the current documents are largely assumed. However, this would still leave uncertainty about a number of issues which are important in determining the effect on the significance of the listed building that might result from attempts to relocate it. Following this survey establishing the effect of dismantling, retention, transportation and re-erection of fabric along with the requirements for a renewed residual and/or museum use would give a full, evidence-based picture of the effect on significance of relocation. It would also allow an assessment of the building's listed status by Historic England in light of that impact. Following this a fully informed decision could be made about whether to take forward relocation and if so for what use. Following that, appropriate mechanisms put in</p>
Applicant Response	Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding further works required to understand the significance of Brook Cottages and the potential for relocation.
REP1-077aq	<p>3.43 To satisfy the requirements of the NPSNN and make a clear and convincing justification for the total loss of significance of Brooke Cottages we would recommend that this process of investigation and assessment is carried out before the application is determined. However, an alternative approach is set out in a requirement placed on consent (Requirement 16, Vol 3, Draft Development Consent Order, 3.2 Explanatory Memorandum, 5.1.38-5.1.40) which the examining authority may wish to consider. This seeks to put some of the assessment in place under a requirement of consent but we are concerned that it does not address some highly significant issues we have set out in the preceding advice.</p>

Reference Number	Summary of Written Representation/Applicant Response
Applicant Response	Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding the wording presented within Requirement 16 of the dDCO <b>[APP-025]</b> .
REP1-077r	3.44 The draft Requirement 16 requires that a method for demolition is produced which includes a recording brief and an assessment of 'structural elements' ability to be relocated. If such elements are identified a method for reconstruction is to be produced.
Applicant Response	The Applicant notes the response from Historic England. A Method Statement for reconstruction would be produced as part of Requirement 16 of the dDCO <b>[APP-025]</b> .
REP1-077s	3.45 This process seems to exclude the detailed assessment of surviving historic fabric, its condition and historic significance as previously agreed between HE and the applicant and proceeds directly to a demolition strategy. To do so it must assume that the significance of the historic fabric concerned has been established, which we contend it has not. When looking at retaining historic fabric it then contains the assumption that only 'structural elements' could be retained. There is no definition of this term, but it would appear to exclude important features and, again, an assumption is being made about the limitations of dismantling, transportation and re-erection techniques in retaining historic material. As we note above, these techniques have not been explored. Finally, Requirement 16 of the dDCO <b>[APP-025]</b> does not address the future use and location of a re-erected building. In doing so it again makes an assumption about the impact of a residential use which, as we note above, has not been substantiated by evidence. Moreover, should it be accepted that the building would be relocated for either use there is no mechanism to ensure this takes place.
Applicant Response	Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding further works to understand the significance of Brook Cottages and the potential for relocation. These discussions also include the wording presented within Requirement 16 of the dDCO <b>[APP-025]</b> .



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REP1-077at	3.46 The examining authority may consider that Requirement 16 could offer a valid alternative to the results of further assessment forming part of the application prior to determination. However, we would advise that as presently drafted the requirement would not secure the information necessary to establish the effect of relocating Brooke Cottages on the significance of the listed building and to decide if relocation should be taken forward or not. If it were concluded that relocation should be taken forward the Requirement would also not secure that outcome. We would therefore recommend that Requirement 16 is amended to achieve those outcomes following the process set out in paragraph 3.42 above.
Applicant Response	Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding the wording presented within Requirement 16 of the dCO <b>[APP-025]</b> .
REP1-077au	<p><b>4. <u>Historic England Advice: Archaeology</u></b></p> <p><b><i>ES Chapter 6: Cultural Heritage</i></b></p> <p>4.1 It is clear that the route of the proposed development cuts across a rich and diverse archaeological landscape, with evidence spanning the Palaeolithic to the modern times (Section 6.6 and Table 6-4). The evaluation trenching identified previously unknown archaeological deposits across the Order Limits (Section 6.6.92) dating from the Late Bronze Age (Section 6.6.93) to the PostMedieval (Section 6.6.96). Some of the sites and features that were discovered are rare for the region and will therefore contribute to our understanding and to addressing questions raised in the Regional Research Frameworks (e.g. Sections 6.6.93, 6.6.94, 6.6.95 and 6.6.97).</p>
Applicant Response	The Applicant notes the response from Historic England.
REP1-077av	4.2 It is noted that the superficial geology along the Great River Ouse is dominated by alluvium (clay, silt and sand), contained either side by undifferentiated river terrace deposits (Section 6.6.6). It should be noted that it may be difficult to identify remains in these sorts of deposits with magnetometry if the remains are deeply buried. We are therefore pleased to see that the evaluation trenching targeted areas of archaeological potential as well as areas that appeared to be clear of archaeological remains (Sections 6.6.83 & 6.6.86).
Applicant Response	The Applicant notes the response from Historic England.

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REP1-077aw	4.3 Section 6.6.66 states that LiDAR information was used to identify sites. It should be noted that the resolution of the Environment Agency data is 2m, which is generally inadequate for recording many archaeological features. A resolution of 1m is the basic minimum but where greater detail is required, higher resolution data is preferable (Historic England, Using Airborne LIDAR in Archaeological Survey, 2018: <a href="https://historicengland.org.uk/imagesbooks/publications/using-airborne-lidar-in-archaeological-survey/">https://historicengland.org.uk/imagesbooks/publications/using-airborne-lidar-in-archaeological-survey/</a> ).
Applicant Response	The Environment Agency LiDAR data used for this project had a resolution of 1m for 76% of the route. This is detailed in paragraph 3.1.1 of Appendix 6.3, Analysis of Aerial Images [APP-165].
REP1-077ax	4.4 Section 6.7 discusses the potential impacts (temporary and permanent) that the proposed development may have on the historic environment. This can include physical impacts that may occur during construction: the disturbance, damage, compaction or removal of subsurface archaeological remains or on the setting of assets (Section 6.7.3).
Applicant Response	The Applicant notes the response from Historic England.
REP1-077ay	4.5 In relation to policies regarding sustaining and enhancing the Historic Environment (NPSNN 5.120-5.144), we are pleased to see that avoidance forms the primary (embedded) mitigation approach utilized within the scheme, to avoid potential impacts on buried archaeological remains and to preserve features of potential interest (Section 6.8.1 & 6.8.2). For the features and remains that cannot be avoided mitigation will be undertaken prior to and during construction in line with the strategies presented in the Archaeological Mitigation Strategy (Appendix 6.12; Section 6.8.8). Given the significance of the remains, the strategy will target areas that would maximise knowledge gain in order to address the site-specific research questions (Section 6.8.9). This approach seems sensible and appropriate, utilising the knowledge about the archaeology of the area, particularly in the Iron Age and Roman periods, that has been obtained from previous investigations and research projects to guide the work carried out as part of the A428 scheme. As noted below, however, Local Authority Archaeological Advisors have the primary remit in relation to non-designated remains.
Applicant Response	The Applicant notes the response from Historic England.

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REP1-077az	4.6 We are pleased to see that the impacts of changes to groundwater levels on the historic environment have been considered (Section 6.9.182 & 6.9.183), which concluded that the impacts would not be significant and would not be felt outside of the Order Limits.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077ba	<b>ES Appendix 6.2: Desk-Based Assessment</b> 4.7 Section 4.2 states that LiDAR information was used to identify sites, but it does not state the resolution of the data used. It is noted in Appendix 6.3 that both 1m and 2m resolution data was used (Appendix 6.3, Section 2.1.4); 2m resolution data is generally inadequate for recording many archaeological features. A resolution of 1m is the basic minimum but where greater detail is required, higher resolution data is preferable (Historic England, Using Airborne LIDAR in Archaeological Survey, 2018: <a href="https://historicengland.org.uk/imagesbooks/publications/using-airborne-lidar-in-archaeological-survey/">https://historicengland.org.uk/imagesbooks/publications/using-airborne-lidar-in-archaeological-survey/</a> ).
Applicant Response	The Environment Agency LiDAR data used for this project had a resolution of 1m for 76% of the route. This is detailed in paragraph 3.1.1 of Appendix 6.3, Analysis of Aerial Images [APP-165].
REP1-077bb	4.8 We are pleased to see that a discussion has been included regarding the limitations of the data used for the assessment (Section 4.6). We are also pleased that a deposit model was developed as part of the works (Annex C; Section 5.2.21).
Applicant Response	The Applicant notes the response from Historic England.
REP1-077bc	4.9 The archaeological potential of the Order Limits has been summarised in Sections 6.1.2 to 6.1.6, concluding that there is a medium to high potential for previously unrecorded heritage assets to be present across the scheme, with the exception of the potential for Post-Medieval remains, which has been classified as being of low potential. We agree with the assessment.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077bd	<b>ES Appendix 6.4 Geophysical Survey Phases 1 and 2</b>

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	4.10 Magnetometry was used to evaluate the route of the proposed scheme, returning some detailed information about the archaeological potential of surveyed areas (e.g. Figure E.1, E3 and E7). Some parts of the scheme were omitted from the survey for various reasons, such as the presence of unsuitable ground conditions or magnetic interference (Section 4). We are pleased to see that the limitations of the technique used to identify more ephemeral remains has been included in the discussions (Section 6).
Applicant Response	The Applicant notes the response from Historic England.
REP1-077be	<p><b>ES Appendix 6.6 to 6.8: Phases 1-3 Evaluation</b></p> <p>4.11 The evaluation excavations have confirmed the presence of complex archaeological sites identified, following the desk-based and survey works (geophysics, aerial photography, LiDAR etc.), which included possible settlements and field systems, kilns, cremated remains and possible waterholes. The remains provide an opportunity to investigate the research themes (Appendix 6.6, Section 3.2; Appendix 6.7, Section 3.5), some of which could be addressed using scientific approaches, complementing the standard approaches used so far. For example, questions were asked about the organisation of the Iron Age and Roman period farmsteads and the activities that may have been carried out in an area (Appendix 6.6, Section 3.2.4; Appendix 6.7, Section 3.8). Techniques such as micromorphology could be used to identify the activities carried out in an area from the microrefuse present, while techniques such as soil chemistry/lipid analysis could be used to determine if an area was used as an animal pen through the identification of lipid biomarkers associated with faecal remains.</p>
Applicant Response	The response is noted. Section 8.4 of the AMS [TR010044/EXAM/9.23] deals with Scientific Analysis for the mitigation stages.
REP1-077bf	4.12 A large number of Iron Age and Roman pottery sherds were recovered as part of the evaluation (e.g. Appendix 6.6, Section 6.3), but it would be useful to know if any residues were observed adhering to the surface of any vessels. This may provide evidence of the materials that were either stored or prepared within the vessels by identifying biomarkers that are characteristic of certain compounds, using techniques such as organic residue analysis. Residues may be present as either charred remains adhering to the vessel, or they may be absorbed into the fabric of the ceramic, but their identification can provide useful information about the activities carried out on site, diet, the function of certain pottery forms, as well as the trade and contact between different populations. It should be noted that if organic residue analysis is being

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	considered, the pottery should not be washed as this can remove the archaeological residues of interest. Further details can be found in the Historic England document, 'Organic Residue Analysis and Archaeology' (2017), including information about the sort of questions that this approach can address. If significant assemblages of vessels are recovered, it may be useful to discuss the assemblage with a specialist in order to understand the potential.
Applicant Response	While analysis of residues was not undertaken during the evaluation, Section 8.8 Finds Processing of the updated AMS [TR010044/EXAM/9.23] submitted at Deadline 3 has been updated to allow for residue analysis to be considered.
REP1-077bg	4.13 Several ovens/kilns were found during the evaluations (e.g. Appendix 6.8, Section 5.4.5) as well as an assemblage of fired clay material recorded during the Phase 2 excavations (Appendix 6.7, Section 6.6). This evidence suggests that additional fired features, such as kilns, hearths or furnaces may be present in the development area. A sampling strategy would be required to investigate these sorts of features in order to determine their function and date. Techniques such as archaeomagnetic dating should also be considered to date the remains.
Applicant Response	A sampling strategy for such features is contained within Section 8. 3.7 bullet d of the AMS [TR010044/EXAM/9.23]. This includes a requirement for appropriate scientific dating.
REP1-077bh	4.14 The document does not seem to include a discussion on the conservation requirements for the material recovered, such as the metal objects (Appendix 6.6, Section 6.7; Appendix 6.7, Section 6.8; Appendix 6.8, Section 6.7). For example, will these remains need to be X-rayed? Do any warrant further analysis or stabilisation?
Applicant Response	Limited metalwork was recovered during the evaluation stage. During the mitigation stage, information is contained within section 8.8 of the AMS [TR010044/EXAM/9.23].
REP1-077bi	4.15 It was stated in Section 6.9 (Appendix 6.6, Phase 1 Evaluation) that the animal bone had been retrieved via hand-collection and from the environmental soil sampling. It is important that this is recorded in these sections as it provides information about the bias included in the dataset towards larger, more visible items. However, this information was not included in the animal bone sections for the Phase 2 and 3 animal bone

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	reports which meant that it was difficult to compare and contrast the data presented across the three phases of evaluation (Appendix 6.7, Section 6.12; Appendix 6.8, Section 6.10). In addition, recommendations were made for further work following the assessment of the Phase 1 animal bone assemblage (Appendix 6.6, Section 6.9), which was good to see, but this information was missing from the discussion of the Phase 2 assemblage (Appendix 6.7, Section 6.12).
Applicant Response	The Applicant notes the response from Historic England. Please note the reporting structure was modified due to the programme limitations while the phased work was underway. The Applicant has been reviewing the evaluation report structure for future project, taking Curator comments into account.
REP1-077bj	4.16 We were pleased to see that an overview of the environmental remains recovered from the three phases of evaluation was included in the Phase 3 report (Appendix 6.8, Section 6.11.23), as this put the findings into context. It would have been useful to see this for all the remains recovered from the different phases of work. We would also like to have seen recommendations for further work being made; this was included for some classes of materials but not for all.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077bk	4.17 It was noted in the appendices of the evaluation reports that the size of the environmental sample was recorded as 'volume processed' (Appendix 6.6, Table Appendix 4.2; Appendix 6.7, Table 10.96; Appendix 6.8, table 10.45). It is not clear if this represents the total volume of the sample, or if a sub-sample was processed as part of the evaluation. It would be useful to include a column in the table for the total sample size to make this point clear.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077bl	4.18 We are pleased that a chronological modeller will be included in the project team in the future, as this will allow the sorts of questions that could be addressed to be highlighted as well as the level of precision that could be achieved and the number of samples that would needed to achieve these goals. For example, it is stated that the precise dating of late Bronze Age/early Iron Age remains in Fields 34, 35 and 44 are not yet certain (Appendix 6.6, Section 7.4.4), and so only broad age ranges have been applied so far. It is also stated that radiocarbon dating is being increasingly used to narrow the date between Late Bronze Age and

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	Early Iron Age settlements, but it should be noted that the development of a chronology for these periods needs to be carefully considered due to the presence of a significant plateau in the radiocarbon calibration curve between 800-400 cal BC. In addition, a robust chronology of the closely spaced Iron Age sites identified during the Phase 2 evaluation would provide a framework for addressing further research questions about how the sites functioned (Appendix 6.7, Section 7.3.2).
Applicant Response	The Applicant notes the response from Historic England. Settlement types and chronology is a research aim in the AMS [TR010044/EXAM/9.23].
REP1-077bm	4.19 We are pleased to see that the features recorded in Field 44 (Phase 3 evaluation, Appendix 6.8, Section 7.5.2) have been highlighted as a focus for further geoarchaeological and palaeoenvironmental work, and that it is recommended that a geoarchaeologist should visit the site regularly during mitigation.
Applicant Response	The Applicant notes the response from Historic England. A geoarchaeologist has visited this site on more than one occasion, and this will continue throughout fieldwork where relevant.
REP1-077bn	4.20 We note that some trenches were omitted from the original designs for archaeological evaluation. Historic England were included in updates and discussion as the work progressed, although we refer to comments from Local Authority Advisors on the scope of evaluation for context and agreement of the approach.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077bo	<b>Document 6.12 Archaeological Mitigation Strategy</b> 4.21 We refer to the local authorities for detailed comment on the wording of Requirement 9, which secures the mitigation. However, we appreciate the logic of the simple requirement which requires development to be carried out, operated and maintained in accordance with the Archaeological Mitigation Strategy (Document 6.12). This approach requires the strategy to be robust. We note that the strategy makes reference to assessment, publication and outreach. In relation to Appendix 1.6.2, the AMS refers to a final AMS – we would seek clarity on when this will be produced, although anticipate that it would be for submission for a future examination deadline.



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Applicant Response	An updated version of the AMS [TR010044/EXAM/9.23] has been submitted at Deadline 3.
REP1-077bp	4.22 It is good to see that previous work and experiences on similar linear schemes have been considered to target and investigate archaeology identified within the project corridor, applying the lessons learned to the A428 project. We welcome that the strategy is embedded in local and regional research frameworks, and with input from academic advisors (Archaeological Mitigation Strategy Document 6.12, 1.5.3 and 4.3). We are also pleased to see a focused, research-based approach at the core of the mitigation strategy, but that the strategy can be modified if evidence is discovered to warrant additional analysis and sampling.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077bq	4.23 We welcome the integration of the AMS with the Environmental Management Plan and note the role of the Clerk of Works. We refer to CCC and CBC for detailed comments on the EMP. However, we also note that the Environmental Management Plan makes provision for dealing with unexpected remains, referring to the AMS, and it would therefore be more sound if the AMS also includes a section on unexpected remains (for example, contingency for cemeteries is noted (AMS pdf page 109).
Applicant Response	The AMS [TR010044/EXAM/9.23] includes a section on unexpected remains. This can be found in paragraphs 5.1.18-5.1.20.
REP1-077br	4.24 The AMS refers to a process for site monitoring. 7.2.4 and 7.1.5, We would anticipate acknowledgement that curators and Historic England Science Advisors would be able to visit at key decision points in the process of excavations.
Applicant Response	Paragraph 7.1.6 of the AMS [TR010044/EXAM/9.23] has been updated to state: <i>"It is anticipated that progress and consultation meetings will be held at least monthly during fieldwork. Additional meetings and site visits will be held as appropriate. The frequency of meetings will be determined by the work taking place on site."</i>  The purpose of the original wording was to ensure there was at least one meeting every month, rather than to limit access for the Curators.

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REP1-077bs	<p>4.25 In terms of the scientific approaches that have been proposed, we are pleased to see that a broad range of techniques will be utilised, and that an integrated strategy has been developed. The techniques that have been selected appear to target specific questions, which is good to see, but additional detail would need to be presented in subsequent WSI documents. We would recommend that any specialists are approached as early as possible to discuss the project in order to maximise the opportunities and the potential of the proposed work. We are also pleased to see that contingencies have been put in place to utilise proteomic or biomolecular approaches if an inhumation cemetery is discovered (Appendix C), but would recommend that the techniques should only be applied to address specific questions, in line with the advice provided in the 'Science and the Dead' publication (Historic England/APABE 2013).</p>
Applicant Response	<p>Paragraph 5.3.3 of the AMS <b>[TR010044/EXAM/9.23]</b> states: <i>"The Archaeological Contractor will include named key specialists who will either be site-based or have a regular site presence, or who will be on-call at short notice."</i> This will ensure that specialists are available as early as possible.</p> <p>With reference to the use of biomolecular approaches for inhumations, please note that this information is contained in Appendix C of the AMS <b>[TR010044/EXAM/9.23]</b> and that the introduction to this Appendix states: <i>"The document forming Appendix C was designed to set the framework for the development of the Archaeological Mitigation Strategy and was updated in October 2020. It does not represent a scope of works."</i> Section 8.4 deals with scientific analysis and states <i>"the use of other scientific techniques will need to be agreed with the ACoW, the Client's representative and the Curators, including the Historic England Scientific Advisor, and should be tailored to the research questions of each site. Blanket use of these techniques is not expected."</i></p>
REP1-077bt	<p>4.26 It is stated that the Environment Agency LiDAR data has been used (Section 3.2.1); it should be noted that 2m resolution data is generally inadequate for recording many archaeological features. A resolution of 1m is the basic minimum but where greater detail is required, higher resolution data is preferable (Historic England, Using Airborne LIDAR in Archaeological Survey, 2018: <a href="https://historicengland.org.uk/images-books/publications/using-airbornelidar-in-archaeological-survey/">https://historicengland.org.uk/images-books/publications/using-airbornelidar-in-archaeological-survey/</a>).</p>
Applicant Response	<p>The Environment Agency LiDAR data used for this project had a resolution of 1m for 76% of the route. This is detailed in paragraph 3.1.1 of Appendix 6.3, Analysis of Aerial Images <b>[APP-165]</b>.</p>

Reference Number	Summary of Written Representation/Applicant Response
REP1-077bu	<p>4.27 We are pleased to see that an iterative and flexible approach will be used, which will allow research questions to be reviewed and updated throughout the project (Section 4.1.3 &amp; 5.4). For example, it is stated that excavation at one site may lead to different questions being asked for an adjoining site (Section 4.1.3). Section 5.1.2 and Table 5.1 outline the four categories assigned to sites and the differing levels of excavation that will be carried out. It is noted that unexpected discoveries will be discussed in order to allow the site to be investigated appropriately (Sections 5.1.18-5.1.20). We are also pleased to see that sites can move up and down the criteria levels depending on the data obtained from the site: if the site is not answering the expected research questions due to lack of information then the extent and scope of the works can be reviewed. Equally, more intensive sampling strategies can be employed if the evidence suggests that this is warranted (Section 5.4.2). We note that areas for proposed excavation or sampling are proposed in the Archaeological Mitigation Strategy (Document 6.12). We note also that Site Specific Written Schemes of Investigation will be provided, in accordance with the overall strategy, which will set out also levels of proposed sampling for sites, or to put forward approaches to preservation in situ (AMS chapter 11). Whilst some areas are proposed for much more detailed study and research, the strategy reviews the significance of sites (Document 6.3 Appendix 6.9) and proposes that some will receive a lighter touch (AMS Tables 5.1 and 5.2). We note reference to a brief provided by CCC and BCB which is not agreed, so not currently included as an Appendix. It would have been helpful to see the proposed site areas shown against the cropmark, geophysical survey and evaluation results in order to visually understand them. However, the local authority is best placed to discuss and consider the detail of proposed mitigation.</p>
Applicant Response	<p>The Applicant notes the response from Historic England.</p> <p>The Brief from the Councils has recently been agreed and has been appended to the updated AMS [TR010044/EXAM/9.23] submitted at Deadline 3.</p> <p>While a plan showing the layout of the mitigation areas against the suite of archaeological evidence was not presented in the AMS [TR010044/EXAM/9.23], all data was used in the design of the mitigation areas, and data such as the trenching results and geophysical data was used when discussing the mitigation areas with the local authorities.</p>

Reference Number	Summary of Written Representation/Applicant Response
REP1-077bv	4.28 We are pleased to see that Bayesian modelling of radiocarbon dating evidence is being considered to address key research questions (e.g. Sections 4.4.5, 4.4.11), and that a chronological modeller will form part of the project team (Section 5.3.3). However, we would also recommend that a range of techniques area considered to contribute to the chronology, such as the use of archaeomagnetic dating to sample areas of burning, or dendrochronology of suitable wooden remains. For example, the large plateau in the radiocarbon calibration curve between cal 800-400BC can limit the resolution available in the chronology. Alternative techniques may offer better levels of precision in the Late Bronze Age-Early Iron Age.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077bw	4.29 It is stated that appropriate archaeological specialists will be given access to the site or attend meetings in order to advise on the excavation strategy, which is good to see (Section 8.3.7).
Applicant Response	The Applicant notes the response from Historic England.
REP1-077bx	4.30 We are pleased to see that features containing in situ burning will not be excavated until the possible recovery of scientific dating samples has been considered (Sections 8.3.7, 9.2.9). This will allow techniques, such as archaeomagnetic dating to be applied.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077by	4.31 It is stated that any human remains will be 100% excavated and that spatially distinct samples will be collected from the grave fills, adhering to the Historic England document ' <i>The Role of the Human Osteoarchaeologist in an Archaeological Fieldwork Project</i> ' (2018), which is good to see (Sections 8.3.7, 9.2.9)
Applicant Response	The Applicant notes the response from Historic England.

Reference Number	Summary of Written Representation/Applicant Response
REP1-077bz	4.32 It is stated that chemical analysis of soils will be carried out to investigate the use of space (Section 8.4). It is noted that in the first instance phosphates will be used, but that additional techniques will be considered depending on the results obtained (Section 8.4.2 and 8.4.3). This may include faecal lipid biomarkers, soil micromorphology and geochemical analysis (Section 8.4.3). We are pleased to see that an integrated approach will be adopted, as this will allow the information obtained from an area to be maximised. In addition, questions could be addressed about the use of space within the structures as well using several of the geoarchaeological and environmental techniques already cited in this document, if suitable occupation surfaces survive. For example, discrete and spatially distinct environmental samples and micromorphology samples could identify microrefuse from the activities carried out in an area.
Applicant Response	The requirement for any scientific methodology will be proposed by the Archaeological Contractor in their SSWSI for each site. Relevant research objectives can also be included. The AMS [TR010044/EXAM/9.23] states in 8.4.2. that <i>"the SSWSIs should detail the exact requirements for each site and should be guided by the Archaeological Contractor's geoarchaeologist and guidance from the Historic England Scientific Advisor"</i> and, in 8.4.3, <i>"the use of other scientific techniques will need to be agreed with the ACoW, the Client's representative and the Curators, including the Historic England Scientific Advisor, and should be tailored to the research questions of each site."</i>
REP1-077ca	4.33 It is stated in Section 8.6.3 that the artefacts will be stabilised, conserved and stored in accordance with relevant guidelines. We are pleased to see that a conservator will be given access to visit the site where necessary to undertake 'first aid' conservation treatment.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077cb	4.34 It is stated in Section 8.7.2 that the environmental samples will be collected to target specific research questions and will follow the methodologies outlined in the Historic England document 'Environmental Archaeology' (2011), which is good to see. We are pleased to see that efforts will be made to facilitate ongoing finds and eco-fact processing that keeps pace with the excavations, as this will ensure that essential information is fed back to the excavations to guide the strategies going forward (Section 8.7.6).
Applicant Response	The Applicant notes the response from Historic England.

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REP1-077cc	4.35 We are pleased to see that all boreholes, including those taken for geotechnical investigations will be evaluated by a geo-archaeologist and that archaeologists and geo-archaeologists will be involved in the design of the sampling strategy (Section 10.2.1). A geo-archaeologist will be present when the cores are being collected (Section 10.2.4) and recorded (Section 10.2.7), which will allow continuous sequences of deposits to be examined.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077cd	4.36 It is stated in Section 11.3.3 that the strategy used to preserve sites will be developed in line with the Historic England document 'Preserving Archaeological Sites' (2016), and that issues of pressure and compaction will be considered (Sections 11.3.3, 11.3.5).
Applicant Response	The Applicant notes the response from Historic England.
REP1-077ce	4.37 In conclusion, we are pleased to see the range and detail of the questions being addressed through the A428 excavations. We are also pleased to see that a range of scientific techniques will be applied, utilising a question-led approach. We are also pleased to see outreach included in the mitigation.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077cf	<p><b>5 <u>Conclusions</u></b></p> <p><b>Designated Heritage Assets</b></p> <p>5.1 We are broadly content with the assessment of the impact on Scheduled Monuments, listed buildings, areas and historic landscapes carried out by the applicant and with their conclusions. We have agreed with the applicant that there would be a measure of harm to the historic significance of the Roxton Barrow and Caxton Pastures Farm due to a change in their setting. We agree that this would be less than substantial harm in terms of the NPSNN (paragraphs 5.131 to 5.134) and our agreement on this issue will be reflected in our joint Statement of Common Ground. As the level of harm would, in our view, be less than substantial in terms of the NPSNN, the public benefits of the proposed development should be weighed against this harm by the Examining Authority (as stated in paragraph 5.134).</p>

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Applicant Response	The Applicant notes the response from Historic England.
REP1-077cg	5.2 However, we would advise that additional information from the applicant may provide further clarity on the specific visual impacts of the junction on Pastures Farm and enable consideration as to whether any offsetting mitigation may be appropriate. The ES 6.8.19 notes that no enhancement measures have been incorporated into the design of the Scheme. We would also seek clarity from the applicant on any offsetting funds, given the residual adverse effects to the historic environment. We would welcome consideration of the monument when the details of lighting and signage are finalised in accordance with DCO requirements, to further reduce the impact.
Applicant Response	See response to 3.17-3.19 above. As there is not a significant effect on this asset, it is not considered that further mitigation is required.
REP1-077ch	5.3 We have agreed with the applicant that there would be a neutral impact on the Scheduled Tempsford Bridge, Wintringham medieval village and Chawston Manor and fishponds, and a slight positive impact on Weald medieval village. We also agree with the assessment of a likely neutral effect on the moated site at Wyboston, although would welcome, if relevant, consideration of the monument when the details of lighting and signage are finalised in accordance with DCO requirements, as we would also for the undesignated remains at Wintringham.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077ci	5.4 We agree with the assessment of less than substantial harm to the three listed mile markers on the A428 (milestone NHLE number 1163534) at the junction of the A428 and St Ives Road north of Eltisley, milepost number 1331394 on the Cambridge Road at Eltisley and milepost 1162760 south of Pembroke Farm and west of Caxton Gibbet) resulting from relocation and to agreeing an appropriate methodology for their removal, storage and resetting in a precise location as suggested in paragraph 5.5.21 of document 7.1 Case for the Scheme. Historic England's listing section should also be informed of the relocations as part of this so the listings can be amended.
Applicant Response	The Applicant notes the response from Historic England.



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REP1-077cj	<p>5.5 We differ from the ES assessment in identifying a harmful impact on three designated heritage assets through development in their setting. At Roxton we consider that the enlarged Black Cat roundabout could have a negative effect on the grade II* listed parish church of St Mary and so do not accept the conclusion in document 7.1 Case for the Scheme paragraph 5.5.12 that there would be no harm to the church as 'listed buildings within the Roxton Conservation Area will not be impacted by the scheme as their setting is considered to be the village itself'. The degree of impact and potential for any mitigation could be established by additional visualisations of the junction from the field east of the church but on the basis of the information available we consider there could be less than substantial harm to the significance of the parish church so the public benefits of the proposed development should be weighed against this harm by the Examining Authority (as stated in paragraph 5.134 of the NPSNN).</p>
Applicant Response	The Applicant notes the response from Historic England.
REP1-077ck	<p>5.6 We also differ from the assessment of the registered park and Scheduled medieval village at Croxton (in the ES chapter 6, 6.9.272 and 7.1 Case for the Scheme paragraphs 5.5.10 and 5.5.32) that these heritage assets would 'experience no change' with 'no harm to significance' and that a 'slight beneficial effect' would result overall. We consider that while removing traffic from the existing road would reduce the immediate impact on the assets the presence of the new carriageway and Toseland Road bridge in their setting would result in a degree of less than substantial harm to their significance. The public benefits of the proposed development should be weighed against this harm by the Examining Authority (as stated in NPSNN paragraph 5.134) but we would also encourage additional landscaping to further reduce the impact, perhaps by a greater depth of planting.</p>
Applicant Response	<p>The assessment presented within paragraphs 6.9.269 – 6.9.674 in Chapter 6, Cultural Heritage <b>[APP-075]</b> of the Environmental Statement acknowledges that construction would result in the introduction of new road infrastructure into the rural surroundings of the park (see paragraph 6.9.271). A conclusion of slight beneficial effect is presented due to the associated improvements due to the de-trunking of the existing A428. Less than substantial harm is concluded. It is noted that this is agreed in the response.</p> <p>The new route alignment is located approximately 700m further north than the existing A428 and is in a cutting to the north of Croxton Park. Sufficient planting is embedded in the design to reduce effects on LLCA12 (Croxton Park) to not be significant by year 15 of operation <b>[APP-181]</b>. With the exception of users of the public right of way leading</p>

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	north from Croxton (P22), effects on visual receptors in Croxton would not be significant by year 15 of operation [APP-114]. No additional planting is considered necessary in landscape and visual terms.
REP1-077cl	5.7 We are not able to comment on the highways engineering issues that have resulted in the proposed layout for the Black Cat roundabout which would require clearing the site of the grade II listed Brooke Cottages. On the basis of the present information we would therefore accept the findings of the Black Cat Junction Options document.
Applicant Response	The Applicant notes the response from Historic England.
REP1-077cm	5.8 NPSNN paragraph 5.133 states that in 'developments leading to substantial harm to or total loss of significance of a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm...' If the Examining Authority accepts the case has been made for the removal of Brooke Cottages in highways engineering terms we consider the potential for achieving less than a total loss of significance should still be explored as part of making the required justification that total loss is necessary in order to deliver the public benefits. To do this we agree with the applicants that the possibility that the Cottages might be re-erected at another location should be explored but do not consider the information available is sufficient to understand the significance of the listed building or determine the impact of relocation and reuse and so does not satisfy the requirements of paragraphs 5.127-8 of the NPSNN.
Applicant Response	The Applicant recognises the need for further surveys to inform decisions regarding the relocation and reuse of Brook Cottages. Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council to establish the scope of these surveys.
REP1-077cn	5.9 Requirement 16 of the draft DCO seeks to provide more of this information but as presently drafted we do not consider it would furnish the information required by the NPSNN paragraphs 5.127-8 to allow an assessment of the effect of relocation and reuse. Furthermore, should it be decided to proceed with relocation and reuse it does not contain appropriate mechanisms to ensure these outcomes are achieved. We therefore do not consider Requirement 16 as drafted to be sound.

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Applicant Response	Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council to agree the wording of Requirement 16 of the dDCO [APP-025].
REP1-077co	5.10 If the Examining Authority wishes to proceed with Requirement 16 as tool for securing this information, we would therefore recommend it is re-drafted to include phased assessment of Brooke Cottages' significance, condition, methodologies for dismantling and relocation and the requirements of a renewed residential and/or museum use. We consider this would give a full, evidence-based picture of the effect on significance of relocation. We would recommend an assessment of the building's listed status by Historic England should form part of the Requirement subsequent to these assessments, followed by a decision about whether to take forward relocation and if so for what use. If that were to be taken forward we recommend the Requirement should contain appropriate mechanisms to ensure this is achieved to agreed standards in a specified timescale.
Applicant Response	Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council to agree the wording of Requirement 16 of the dDCO [APP-025].
REP1-077cp	<b>Archaeology</b> 5.11 In terms of the potential impact on archaeology, avoidance is proposed as embedded mitigation but the ES concludes that with mitigation, the impact will be a moderate adverse residual effect. The scheme will have an impact on part of several sites in the area and in some cases entire sites. The remains will be destroyed, but there is a research-based strategy proposed to ensure that the significance of the impacted remains is not lost We consider that as part of the work, an Archaeological Mitigation Strategy should be implemented, in accordance with paragraph 5.140 of the NPSNN. We note that common ground has not yet been established between the applicants and local authorities regarding the Brief for the Works and the Archaeological Mitigation Strategy. We would therefore advise that agree the detail and scope of the works falls within the remit of Local Authority Archaeological advisors. Illustration of the proposed excavation areas showing the geophysical survey results and trench results would be useful.
Applicant Response	Requirement 9 of the dDCO [APP-025] ensures this will be implemented.  The brief from the councils has also been agreed and is appended to the updated AMS [TR010044/EXAM/9.23] submitted at Deadline 3.

Reference Number	Summary of Written Representation/Applicant Response
REP1-077cq	5.12 We suggest that the final AMS includes a note on retaining some finds unwashed where relevant for residue analysis, that it is cross referenced to the EMP in relation to unexpected remains, that it refers to a range of scientific dating techniques, and that curator or Historic England visits are included for key decision points in site excavation strategies. We would envisage that these matters can be reflected in our joint Statement of Common Ground
Applicant Response	Text has been added to the AMS <b>[TR010044/EXAM/9.23]</b> in Section 8.8 Finds Processing to allow for residue analysis to be considered. Unexpected remains is already covered in Section 5.1.18-5.1.20 of the AMS <b>[TR010044/EXAM/9.23]</b> , and additional text has been added to Section 7.1.6 regarding site monitoring by the Curators.  The updated AMS <b>[TR010044/EXAM/9.23]</b> has been submitted at Deadline 3.

## REP1-079 Lanesons Limited

Reference Number	Written Representation/Applicant Response
REP1-079a	<p>We are instructed to act on behalf of Lanesons Limited of Tithe Farm, St Neots who as tenant under an Agricultural Holdings Act 1986 tenancy of Tithe Farm are affected by the scheme with plots 9/6a-e. The representations are made without prejudice to making further objections/representations for different reasons, or in order to amplify these representations.</p> <p>We submitted representations to the supplementary consultation held in July 2020. Following the representations, we held an online meeting with Highways England and their consultants on 14th August 2020, during which Highways England undertook to provide various information and details and to respond back with comments in respect of the representations. We submitted further representations in June 2021. Despite numerous requests for the information to be provided, Highways England finally provided a response following the August 2020 meeting by way of an email dated 16th July 2021. We have since requested a meeting with Highways England and are waiting for the chance to meet with them.</p> <p>The proposed scheme will have a significant impact upon Tithe Farm, severing Numbers 1 and 2 Winterington Cottages from the rest of the farm. The boundary of the road runs adjacent to the cottages with increased noise and visual intrusion from the proposed road and junction. The cottages need protecting from the noise and visual intrusion from mitigation works such as double glazing, bunding, landscaping, etc. We have sought greater detail to understand the impact of the road of the cottages and proposals for mitigation, including cross-sections at the cottages, the impact of lighting at the junction and the noise. The scheme will have a particularly significant impact on the cottages and we wish to agree mitigation works in advance together with timing of the mitigation work to try and limit any impact.</p> <p>The access to Numbers 1 and 2 Winterington Cottages will be varied via the realigned A428. The access to the cottages is required to be available constantly throughout construction and subsequent to the road being built, for both private vehicles, delivery vehicles and for service vehicles. We have sought details of the design to ensure that the cottages can be serviced by the tanker emptying the private drainage, the dustcart, oil deliveries etc. Highways England has not provided this information. We are seeking a clear enforceable commitment within the design and the timeframe for the scheduling of the work to ensure the cottages are habitable both during construction and after completion of the works.</p> <p>Numbers 1 and 2 Winterington Cottages are connected to a private sewage system which includes a soakaway connected to a ditch on land being acquired. Provision needs to be made for the continuation of the sewage system</p>

Reference Number	Written Representation/Applicant Response
	<p>and appropriate arrangements or rights granted for the future. It would seem to make sense to arrange an appropriate discharge of the drains to land to the east being acquired by Highways England under Plot 9/7g. There is insufficient ground within the area left unacquired around the cottages in order to adequately provide for the continuation of the private drainage system. Due account needs to be taken during construction to ensure that the private drainage system continues to operate successfully.</p> <p>The proposed scheme will sever the existing services to Numbers 1 and 2 Winterington Cottages, including the water supply which runs via Tithe Farm from the north west. It is important that throughout the construction phase and thereafter, the cottages maintain full services and that those are not interrupted. This will require bringing in a new water supply to replace the existing supply running from Tithe Farm which will be severed.</p> <p>Numbers 1 and 2 Winterington Cottages will be severely impacted during construction for noise, dust and vibration. Appropriate mitigation measures should be put in place. We have requested details of these but Highways England has not provided the information.</p> <p>The proposed road will also have a significant impact on the balance of Tithe Farm to the north including Grayholme being a residential property at the entrance track to Tithe Farm and Tithe Farm House. Appropriate glazing, landscaping and bunding should be installed to reduce the visual and noise impact on these residential properties.</p> <p>The land being acquired has underground land drainage schemes and appropriate arrangements should be put in place to provide for and deal with the continuation of the existing land drainage schemes so as to not impact the drainage to the remainder of Tithe Farm.</p> <p>There is considerable concern regarding continued access arrangements both in and out of Tithe Farm and also to the wider area and that access is maintained at all times and suitable for agricultural vehicles to allow the business to continue to farm and operate.</p> <p>We had been promised by Highways England that a draft Schedule of Accommodation Works would be provided, following the online meeting in August 2020. Nothing has been provided. We would seek that accommodation works are discussed and agreed prior to the granting of the DCO to avoid the issues being faced with the A14 where accommodation works were not agreed until after a number of years after commencement of the road scheme.</p> <p>The proposed scheme will have a very significant impact on this farm and its residential properties. We wish to understand the impact more fully and obtain undertakings from Highways England regarding mitigation measures both during and after construction. We are concerned that unless there is very careful planning and appropriate</p>

Reference Number	Written Representation/Applicant Response
	mitigation measures put in place, the cottages will become uninhabitable and the farm business will be impacted with reduced access.
Applicant Response	<p>The Applicant notes the Written Representation is similar to their Relevant Representation <b>[RR-062]</b>. Please refer to the Applicant's responses to RR-062 Bletsoes on behalf of Lanesons Ltd contained in the Applicant's Response to Relevant Representations <b>[REP1-021]</b>, submitted at Deadline 1 which addresses both construction noise mitigation and air quality mitigation.</p> <p>Following Lanesons' request, the Applicant can confirm that an on-site meeting has been arranged for Friday 8 October to address any outstanding queries, with the intention of finding suitable arrangements for both parties. The Applicant also issued a private Position Statement document on 17 September 2021 to the interested party setting out the points that have been raised and the Applicant's current position. Through continued engagement the Applicant hopes to reach agreement over the points raised.</p>



## REP1-081 Bletsoes on behalf of Mr J Lammie

Reference Number	Written Representation/Applicant Response
REP1-081a	<p>We represent the interests of John Lammie in his capacity as tenant under an Agricultural Holdings Act 1986 tenancy and partner of the farming partnership, J &amp; J W Lammie. Mr Lammie occupies various parcels of land affected by the Scheme, some of which lie within the Order Limits for permanent and temporary land acquisition. On behalf of our client, we are instructed to make written representations in addition to the representations made on 10th June 2021 via the Planning Inspectorate's website. Representations are made without prejudice to making further objections/representations at a later stage for different reasons, or to amplify these representations.</p> <p>We have reviewed the plans included within the Developer's application insofar as they relate to our client and these representations are based upon the information contained therein.</p> <p>The aforementioned plans do not provide sufficient detail in order to ascertain the full impact on my client's leasehold interest. We would therefore like to formally record our principal concerns, based upon the information that is available. We do not wish to be put in a position whereby when it comes to the 'detailed design stage' we are told that design issues raised should have been dealt with earlier on in the scheme and it is too late. The Developer cannot say that they will deal with matters in dispute at a later stage. These issues should either be dealt with during the application process or determined by the Planning Inspectorate.</p> <p>In addition to the representations of 10th June 2021, we submitted earlier representations to the supplementary consultation held in July 2020. To date, we have not received formal responses nor have we reached agreement in respect of any of the issues raised. Our client wishes to put on record his principal concerns:</p> <p>Provision of Accesses: At present, the affected land benefits from numerous access points along the Barford Road. My client is prepared to stop-up some of those access points in return for the provision of 6 purpose-built accesses (3 on either side of the Barford Road) in order to make the Barford Road safer and generally mitigate the detrimentally effect of the Scheme on my client's leasehold interest. From the information available, it appears that provision for 4 purpose-built accesses will be provided; two either side of the Barford Road. In addition to those already provided, our client requires additional accesses located opposite each other to provide access into field parcels Parcel ID: TL1654 4959 &amp; TL1654 6725. Following our representations of 10th June 2021, at the request of the Developer we provided further details confirming the location of the existing accesses and the preferred locations for the new accesses. We await the Developer's response. In the meantime, we reserve our position within this representation.</p>

Reference Number	Written Representation/Applicant Response
	<p><b>Design of Accesses:</b> During previous consultation with the Developer, we requested detailed design information concerning the proposed accesses to assess whether the new accesses are as equally commodious as the existing accesses. We repeated that request within our representations of 10th June 2021. To date, this information has not been forthcoming. Consequently, we still have concerns regarding the design of the accesses, principally relating to widths and gradient. We require confirmation that the accesses will be at a similar level to the finished road surface to avoid steep gradients that are dangerous for slow moving agricultural traffic entering and exiting the field parcels; and require confirmation the accesses will be of a sufficient width to allow safe access for agricultural traffic with restricted manoeuvrability. For the avoidance of doubt, we wish to make clear that the new accesses should be at least 30ft wide and gated to provide secure commodious access.</p> <p><b>Safety:</b> During previous consultation with the Developer, we raised concerns regarding the safety of the Barford Road after alterations have been made because of the Scheme. In summary, the principal concern relates to the proposed alterations to straighten the alignment of Barford Rad and flatten its contours, which we believe will allow motorists to travel faster thus increasing the risk of accidents, especially between road users and slow-moving agricultural equipment entering and exiting fields. We requested a reduction in the speed limit from 60mph, perhaps to 40 or 50 mph, and traffic calming measures, such as on-road markings and road signs highlighting the presence of agriculture traffic. Based on the information available, we note that our request for a reduced speed limit has not been implemented. Furthermore, there is no information available concerning traffic calming measures.</p> <p><b>Parking Provision:</b> During previous consultation, we highlighted the potential need for off road parking for a local angling club, who enjoy short term rights to fish the River Great Ouse. Whilst this request has been acknowledged by the Developer, the information available does not make provision for such access. At present, the anglers park on the side of the Barford Road and walk to the river; this has little impact on my client's use of the land. If access and parking is provided for this purpose, we request that any such provision is accommodated on land that is already identified as being permanently required to reduce the impact on client.</p> <p><b>Accommodation Works:</b> We have on numerous occasions reiterated the need for accommodation works. We require further details on the proposed accommodation works to ascertain the full impact on my client's leasehold interest. As a minimum, our client requires commodious access, post scheme land drainage, and fencing and hedge of boundaries to mitigate the detrimental effect of this scheme.</p>

Reference Number	Written Representation/Applicant Response
Applicant Response	<p>The Applicant notes that all the issues raised in this representation were previously addressed and responded to at Deadline 1.</p> <p>Please refer to the Applicant's responses to RR-056 Bletsoes on behalf of John Lammie contained the Applicant's Response to Relevant Representations <b>[REP1-021]</b>, submitted at Deadline 1. The Applicant also issued a private Position Statement document on 17 September 2021 to the interested party setting out the points that have been raised and the Applicant's current position. Through continued engagement the Applicant hopes to reach agreement over the points raised.</p>

## REP1-082 Bletsoes on behalf of Mr R Infield

Reference Number	Written Representation/Applicant Response
REP1-082a	<p>We represent the interests of Richard Infield in his capacity as tenant under an Agricultural Holdings Act 1986 Tenancy and partner of the farming partnership, W A Infield &amp; Sons. Mr Infield occupies land that is directly affected by the Scheme, some of which lie within the proposed Order Limits. On behalf of Mr Infield, we are instructed to make written representations further to the representations made on 10th June 2021 via the Planning Inspectorate's website. Representations are made without prejudice to making further objections/representations for different reasons, or to amplify these representations.</p> <p>We have reviewed the plans included within the Developer's application insofar as they relate to our clients' land and these representations are based upon the information contained therein.</p> <p>The aforementioned plans do not provide sufficient detail to ascertain the full impact on my client's requisite interest. We would therefore like to formally record our principal concerns, based upon the information that is available. Our client does not wish to be put in a position whereby when it comes to the 'detailed design stage', he is told that design issues raised should have been dealt with earlier on in the Scheme and it is too late. The Developer cannot say that they will deal with matters in dispute at a later stage. These issues should either be dealt with during the application process or determined by the Planning Inspectorate.</p> <p>In addition to the representations of 8th June 2021, we submitted earlier representations to the supplementary consultation held in July 2020. To date, we have not received a formal response and not reached agreement in respect of any of the issues raised. Our client wishes to make clear his principle concerns:</p> <p>Post Scheme Access: At present, an isolated parcel of land off the Barford Road benefits from two access points from the Barford Road. During previous consultation with the Developer, we requested detailed design information concerning the proposed accesses to assess whether access will be equally commodious. From the information available, it would appear that the northern-most access will be stopped up; it is not clear how the southern-most access will be affected. In recent discussions with the Developer, our client has had verbal assurance from the Developer and their representatives that the southern-most access will not be affected, and my client has relied upon that assurance. In terms of the northern-most access, we note that a new access is being provided to serve land owned by my client's landlord and occupied by a third party, Mr John Lammie. It would be pragmatic for this access to be shared providing access to my client and Mr Lammie in their capacity as tenants. My client, Mr Lammie and the Landlord's Agent have agreed the principle of a shared access. During earlier rounds of discussions with the Developer and their representatives, the Developer confirmed they were willing to adjust their</p>

Reference Number	Written Representation/Applicant Response
	<p>proposals to include a shared access. However, during the latest round of discussions with the Developer and their representatives, the Developer's position appears to have changed in that they are now saying their representatives will investigate the matter and respond with their proposals. We await their response. For the avoidance of doubt, our client objects to the Developer's proposed access arrangements.</p> <p>Access during Construction: As well as at Ouse Farm, Tempsford, our client farms land located near to surrounding villages. He relies heavily on the A1, Blackcat Roundabout and connecting local roads; this use is intensified at certain times of year, such as silaging and harvesting. The construction of the Scheme will disrupt the A1, Blackcat Roundabout and connecting local roads. The Developer has confirmed that where possible the Scheme will be constructed 'offline' to avoid road closures but accept that closures are inevitable. Our client requires the Developer to avoid road closures where possible in order to help lessen the impact of the Scheme. In addition, our client requires the Developer to communicate any planned road closures well in advance of the closure date to allow alternative arrangements to be made.</p> <p>Safety: During previous consultation, our client raised concerns relating to the safety of the Barford Road after alterations have been made as part of the Scheme. In summary, his principle concern relates to the proposal to straighten the alignment of Barford Rad and flatten its contours, which our client believes will allow motorists to travel faster thus increasing the risk of accidents, especially between road users and slow-moving agricultural equipment entering and exiting fields. Our client has requested a reduction in the speed limit from 60mph, perhaps to 40 or 50 mph, and traffic calming measures, such as on-road markings, road signs highlighting the presence of agriculture traffic, and crash barriers on the bend near to the gas and water works. Based on the information available, we note that our client's request for a reduced speed limit has not been implemented. Furthermore, there is no information available concerning traffic calming measures.</p> <p>Accommodation Works: We have on numerous occasions reiterated the need for accommodation works and have requested details in respect of the same to ascertain the full impact on our clients' requisite interest. During a virtual meeting on 13 August 2021, the provision of accommodation works, specifically land drainage was discussed but nothing has been agreed. We await further details from the Developer. In the meantime, we reserve our position in respect of accommodation works.</p>

Reference Number	Written Representation/Applicant Response
Applicant Response	<p>The Applicant notes that all the issues raised in this representation were previously addressed and responded to at Deadline 1.</p> <p>Please refer to the Applicant's responses to RR-088 Bletsoes on behalf of Richard Infield contained in the Applicant's Response to Relevant Representations <b>[REP1-021]</b>, submitted at Deadline 1. The Applicant has also issued a private Position Statement document on 17 September 2021 to the interested party setting out the points that have been raised and the Applicant's current position. Through continued engagement the Applicant hopes to reach agreement over the points raised.</p>

## REP1-083 Bletsoes on behalf of Mrs D Sharman and H G Sharman

Reference Number	Written Representation/Applicant Response
REP1-083a	<p>We represent the interests of Mrs Diane Sharman and the Partners of the farming partnership, H G Sharman &amp; Son of Coxfield Farm, Colmworth, who are directly affected by the Scheme; the current partners are Diane Sharman, Robert Sharman, Catherine Sharman &amp; Rebecca Sharman. Mrs Diane Sharman owns land directly affected by the Scheme, which is farmed by the partnership. In addition, the partnership are tenant of several parcels of land directly affected by the Scheme. On behalf of Mrs Sharman and the partnership, we are instructed to make written representations further to the representation that was made on 8th June 2021 via the Planning Inspectorate's website. Representations are made without prejudice to making further objections/representations at a later stage for different reasons, or to amplify these representations.</p> <p>We have reviewed the plans included within the Developer's application insofar as they relate to our clients' and these representations are based upon the information contained therein.</p> <p>The plans do not provide sufficient detail to ascertain the full impact on my clients' requisite interest. We would therefore like to formally record our principle concerns, based upon the information that is available. We do not wish to be put in a position whereby when it comes to the 'detailed design stage' we are told that design issues raised should have been dealt with earlier on in the scheme and it is too late. The Developer cannot say they will deal with matters in dispute at a later stage. These issues should either be dealt with during the Examination process or determined by the Examination Authority.</p> <p>In addition to the representations of 8th June 2021, we submitted representations to the supplementary consultation held in July 2020. To date, though we have had meetings with the Developer to discuss the issues raised within our representations, we have not received any formal response and have not reached agreement in respect of any of the issues raised. Our clients' wish to make clear their principle concerns:</p> <p>Land East of Roxton Road and North of A421: The northern part of this parcel of land is owned by Mrs Sharman, and the southern part is rented by the partnership; both parts are currently farmed as one by the partnership. During previous consultation with the Developer, we requested detailed design information concerning the proposed accesses to assess whether access will be equally commodious. From the information available, it is not clear whether the existing access will be affected. During the latest round of discussions with the Developer and their representatives, the Developer's representatives agreed to investigate the matter and confirm that the access will not be affected. We await written confirmation from the Developer that the access will not be affected.</p>



Reference Number	Written Representation/Applicant Response
	<p>During previous discussions with the Developer and their representatives, we questioned the need for a proposed new ditch given the free draining nature of the soil in this location. If a ditch is considered necessary, we requested that the ditch be aligned closer to the Scheme to reduce the amount of land lost. Following recent discussions with the Developer, we are told the alignment is necessary to avoid an existing underground gas pipeline. During a virtual meeting on 7 June 2021, the Developer confirmed they would seek confirmation as to whether the ditch is required. We await a response. For the avoidance of doubt, our clients' object to the provision of the ditch in this location and its proposed alignment.</p> <p>Land South-East of Roxton Garden Centre: The northern part of this parcel is rented by the partnership. The southern part is owned by Mrs Sharman and farmed by the partnership; both parts are currently farmed as one. During previous consultation and within our representation of 8th June 2021, we highlighted the short-term development potential of this land. The land together with adjoining land, totalling approximately 39.37 acres, is being promoted for distribution use owing to the site being ideally located at the important interchange between the existing A428, A421 and the A1. Representations have made in the Call for Sites by Bedford Borough Council; a Heritage Assets review and Minerals Assessment has been undertaken and the promoting agent is currently responding to the next stage of the Call for Sites and the Issues and Options phase. Demand for employment land is expected to remain high, especially for logistics given the ever-increasing emphasis on online sales. Current land values for sites in this area with a consented distribution use are significantly greater than agricultural values. Therefore, the land has an increased value over and above its agricultural value, meaning the compensation will be vastly greater than for agricultural land without development potential and the cost to the taxpayer will be greater.</p> <p>The provision of a new access to Kelpie Marina and a flood storage area will require the permanent acquisition of the majority of my clients' own land, and a significant amount of land they rent. From the outset, we have highlighted the land's development potential and requested the new access road to Kelpie Marina be aligned closer to the A1, and the flood storage area moved to land without development potential, to mitigate compensation. During a virtual meeting on 7 June 2021, the Developer and their representatives confirmed they would investigate whether their plans could be changed to re-align the new access and relocate the flood storage area. A response was not received. During a virtual meeting on 11 August 2021, we reiterated our concerns and objected to the current alignment of the proposed access road and positioning of the flood storage area. The Developer commented that there were reasons as to why the proposed access road to Kelpie Maria could not be aligned closer to the A1 and the flood storage area relocated but could not recall those reasons. We requested written explanation of those reasons. For the avoidance of doubt, our clients' vehemently object to the current alignment of the proposed access road to Kelpie Marina and the positioning of the flood storage area. Furthermore, we ask that alternative access routes to Kelpie Marina are considered, such as along School Lane at Roxton and over the A1 via an overbridge</p>

Reference Number	Written Representation/Applicant Response
	<p>directly into Kelpie Marina. This would make use of the existing road infrastructure (School Lane) and reduce the permanent acquisition area, thus reducing the overall cost of the scheme.</p> <p>If the flood storage area cannot be relocated, my client would like to ascertain from the Developer whether the freehold interest in this area can be retained and new rights granted, subject to knowing what those rights might be.</p> <p>If the Scheme is consented in its current form, the proposed access to my client's own land (distinct from the land they rent) appears to be via the flood storage area. Clearly, this presents a problem when the area is in flood. During virtual meetings with the developer on 7 June 2021 and 11 August 2021, we highlighted this issue and requested that the access be repositioned. The Developer and their representatives have agreed to investigate the matter further. For the avoidance of doubt, my client's object to the access in its current location.</p> <p>Land North of Chawston Lane, Chawston: This parcel of land is rented and farmed by the partnership. Our clients' primary concern relates to the proposed layout of the new junctions onto Chawston Lane. The new junctions are offset from each other by approximately 50m, effectively creating a chicane for vehicles. This may present a problem for vehicles with restricted manoeuvrability, such as heavy goods vehicles and agricultural traffic. We understand the proposed side road will be the principal access to H E Payne (Transport) Ltd who operate a significant fleet of heavy goods vehicles. We once again urge the Developer to reconsider their proposals and align the junctions opposite each other or as close to that as possible. We understand local residents have expressed similar concerns.</p> <p>Accommodation Works: We have on numerous occasions reiterated the need for accommodation works and have requested details in respect of the same to ascertain the full impact on our clients' requisite interest. During a virtual meeting on 11 August 2021, the provision of accommodation works were discussed but nothing has been agreed. We await further details from the Developer. In the meantime, we reserve our position in respect of accommodation works.</p> <p>East West Rail: We have also asked the Developer for further detail on how their Scheme will relate to the proposed East West Rail, as in some places it appears to use the same land.</p>

Reference Number	Written Representation/Applicant Response
Applicant Response	<p>The Applicant notes that all the issues raised in this representation were previously addressed and responded to at Deadline 1.</p> <p>Please refer to the Applicant's responses to <b>RR-028</b> Bletsoes on behalf of Diane Angela Sharman and <b>RR-043</b> Bletsoes on behalf of H G Sharman &amp; Son contained in the Applicant's Response to Relevant Representations <b>[REP1-021]</b>, submitted at Deadline 1.</p>

## REP1-085 National Farmers Union

Reference Number	Written Representation/Applicant Response
REP1-085a	<p><b>1. Introduction</b></p> <p>1.1 These are the Written Representations of the National Farmers Union ("NFU") on behalf of their members to the application for a Development Consent Order by Highways England for the identified scheme A428 Black Cat to Caxton Gibbet Improvements.</p> <p>1.2 The objectives of the NFU are to champion farming in England and Wales and to provide professional representation and service to its members.</p> <p>1.3 The matters raised in these Written Representations are as highlighted in the outline representations but details of the wording that the NFU would like to see included for water supplies, field drainage, soils, irrigation systems and ALOs in the FIEMP is now included and highlighted in Annex 1 – 5 of this representation.</p> <p><b>2. Consultation and Engagement</b></p> <p>2.1 One to one meetings have been held between landowners and Ardent the agents acting for Highways England (HE) and the NFU would like to see negotiations continuing with members who are directly affected. The NFU understands from agents that HE is not keeping landowners updated and it is taking HE too long to respond to queries raised by agents. Further the NFU would like to enter into a Statement of Common Ground to understand and agree outstanding issues, especially the wording that is being sought on practical issues and the NFU would like to see being included in the First Iteration Environmental Management Plan (FIEMP).</p> <p><b>3. Habitat Mitigation</b></p> <p>3.1 Further to the response submitted to the consultation the NFU would still like to receive clarification as to why so much land is being taken for habitat mitigation and it is understood that (HE) have now identified a 20.5 % net gain. We understand that this might be being achieved through the enhancement of previous identified sites. Further clarification is required as the NFU would not want to see more land being compulsorily purchased to achieve a net gain on a linear infrastructure scheme. The NFU would like confirmation on what management agreements are to be put in place to maintain the habitat mitigation sites.</p> <p><b>4. Access Routes and Accommodation Works</b></p>

Reference Number	Written Representation/Applicant Response
	<p>4.1 The NFU raised concerns over (HE) addressing new access routes that will be required once the new road is operational to land and also temporary access routes during construction which will be severed by the works. Further concerns where in regard to agreeing accommodation works at an early stage. The response provided by HE in the response consultation document is brief with no detail. The NFU understand from agents acting for members that meetings have been taking place, but further confirmation is required.</p> <p><b>5. Construction Compound Sites</b></p> <p>5.1 HE on plans submitted under the DCO has identified some large areas of land to be taken for construction compound sites. The NFU would like to see the detail of use for each compound site being detailed in the DCO particularly within Schedule 7, Article 40. At the present time it is stated that the areas will be used as a construction area 'required to provide temporary storage, laydown areas, access and working space to facilitate the construction of...' We require further detail on exactly what works may take place and what type of storage. This should be explicitly detailed for each compound.</p> <p><b>6. Powers to Survey Land</b></p> <p>6.1 It is noted that in the DCO under Paragraph 23: Authority to survey and investigate the land under 23.1 (b) ii it is stated that HE can discharge water from sampling operations. The NFU would like further detail on the types of sampling that is to be undertaken and the quantities water that could be discharged. The NFU is pleased to see that 23.3. does state that the nature of the survey must be stated in the notice. The NFU would further like to see that the ALO as part of its role is to: "Provide preconstruction survey information to landowners including company name, survey type and equipment to be used, an estimate of how long the surveys are expected to take and where surveys are to take place on land outside of the Order limits, an explanation of why such land is required".</p> <p><b>7. Temporary use of land for carrying out the authorised development</b></p> <p>7.1 It is noted that in the DCO at Paragraph 40 'Temporary use of land for carrying out the authorised development' it is stated that a 14 day notice has to be served before taking entry. At a minimum the NFU will want to see a 28 day notice being served before entry is taken on to land on a temporary basis. Experience from other schemes is showing that a 14 day notice is not adequate.</p> <p><b>8. Balance Ponds</b></p> <p>8.1 The NFU would like information to be provided to explain why the size and location of balance ponds are required and where these are to be located. Further relocation next to field boundaries would help minimise</p>

Reference Number	Written Representation/Applicant Response
	<p>the impact on the farmland in question. The NFU would like to see further negotiations with landowners on balance ponds and refinement as design is developed.</p> <p><b>9. Waste and Spoil</b></p> <p>9.1 The NFU would like information to be provided to explain how waste and spoil is to be treated. The response to the NFU after the first consultation does not clarify where waste and spoil is to be used within the construction. It just states that soils will be delivered back to the respective locations from the storage zones. It will not be possible to return soil back to respective soil locations without changing the surface level and agricultural classification.</p> <p><b>10. Water Supplies</b></p> <p>10.1 There is no information in the FIEMP as to how any water supplies will be treated if affected on a temporary or permanent basis. The main works contractors should have to provide an alternative supply if any supply is contaminated, cut off or the supply is affected in anyway during the construction of the road. The NFU has specific wording that it would like to see agreed and included in the FIEMP to guarantee that farms will have a temporary and/or a permanent water supply. Wording in regard to private water supplies was sent to Highways England on 4th August 2021. Please see the wording in Annex 1. The NFU would like to see this wording agreed for interruption to any water supply.</p> <p><b>11. Field Drainage</b></p> <p>11.1 Land drainage is always one of the main issues which landowners and agricultural tenants are concerned about when land is taken for construction purposes of a major road. Further to raising issues in a response to the consultations in regard to field drainage HE responded that the Drainage Strategy report covers operational drainage and that the FIEMP describes how construction drainage will be dealt with. The NFU is disappointed that HE has not addressed agricultural field drainage that will be severely affected by the construction works. This is particularly important where land will be returned to agricultural use.</p> <p>11.2 The NFU has specific wording that it would like to see agreed and included in the FIEMP to guarantee that land drainage will be fully reinstated. This wording was sent to Highways England on 4th August 2021. Please see the wording that the NFU would like to see in respect of Field Drainage in Annex 2.</p> <p><b>12. Soils</b></p>

Reference Number	Written Representation/Applicant Response
12.1	The NFU is pleased to see that there is a detailed section on Soil Handling and Management at Appendix E of the FIEMP which covers soil preparation, sub and top soil stripping, controls during construction, soil storage and restoration. The NFU would like to see further detail included to cover a pre-construction soil survey which will form the basis of a soil statement to be included within a record of condition.
12.2	Further the NFU would like to see wording agreed to cover soil aftercare which will be linked back to the soil statement and condition of the soil before the construction works started.
12.3	The NFU sent Highways England the specific wording in respect of soils on 4th August 2021. The wording is included in Annex 3.
<b>13.</b>	<b>Dust</b>
13.1	It is noted that within the FIEMP that dust will be controlled during construction, but clarification is needed on how dust will be controlled during construction to protect arable crops. The project will impact a vast area of arable crops that are grown in this area, quality of the crop is paramount. NFU would like to see details specific to dust control for agricultural crops.
<b>14.</b>	<b>Irrigation Systems</b>
14.1	The NFU has not been able to find any information in the FIEMP as to how the effect of construction can be minimised on irrigation systems. The NFU has specific wording that it would like to see agreed and included in the FIEMP to guarantee that irrigation systems are maintained. The wording was sent to Highways England on 4th August 2021 and is included within Annex 4.
<b>15.</b>	<b>Agricultural Liaison officer</b>
15.1	Liaison with landowners, tenants and agents is essential but there is only mention of a Community Relations Manager within the FIEMP. This is not adequate and the NFU would like to see that the main works contractors will have to employ an agricultural liaison officer to carry out liaison with landowners. The NFU has specific wording that it would like to see agreed and included in the FIEMP which covers the roles which need to be undertaken by the ALO. The wording was sent to Highways England on 4th August 2021 and is included within Annex 5.
<b>16.</b>	<b>Agricultural Use of the A428</b>



Reference Number	Written Representation/Applicant Response
	<p>16.1 The NFU requested confirmation that the proposed A428 will remain for the use of all traffic including agricultural vehicles. HE has confirmed that the new dual carriageway will be designated an all-purpose trunk road. The NFU would like to see this stated in the DCO.</p> <p><b>17. Request to Attend Hearings and make Representations</b></p> <p>18. <b>The</b> NFU wishes to request to make oral representations at the issue specific, draft DCO and compulsory acquisition hearings which may be held if necessary. The NFU are working closely with the agents that represent the NFU members affected.</p>
Applicant Response	<p>The Applicant attended a virtual meeting with the NFU on 15 September 2021 to discuss the points raised through their Relevant Representation <b>[RR-074]</b> and Written Representation. All matters are captured in their Statement of Common Ground (SoCG) and both parties are working towards Deadline 4 to produce an updated SoCG. Where additional detail (further to that contained in the SOCG and the responses to relevant representations) can be provided in response to the points raised above it has been provided below:</p> <p>3. The Applicant can confirm to the NFU that net gain has been achieved through the values ascribed to the mitigation measures (for example planting and habitats) that have been embedded into the design of the Scheme. The purpose of these mitigation measures are to avoid, prevent and/or reduce the Scheme's adverse environmental effects. No areas of permanent land take have been included within the Scheme's Order Limits for the sole purpose of achieving net gains in biodiversity.</p> <p>The Applicant confirmed in its response to the ExA's Q1.3.2.1 <b>[REP1-022]</b> submitted at Deadline 1 its intention to recalculate the performance of the Scheme using the Defra Metric 2.0 metric. Accordingly, this updated calculation has been prepared and submitted into the Examination at Deadline 3 <b>[TR010044/EXAM/9.25]</b>.</p> <p>Outline maintenance and management principles and prescriptions for planting and habitats incorporated into the Scheme design are described in Annex L: Landscape and Ecology Management Plan within the First iteration Environmental Management Plan <b>[APP-234]</b>, the detail of which will be developed further as part of the Second Iteration Environmental Management Plan.</p> <p>8. The Applicant notes the NFU comments on the refinement of ponds during detail design. The ponds are needed to prevent the new highway drainage increasing the risk of flooding and to meet water quality discharge requirements. The ponds will allow surface water runoff from the Scheme to be drained to local watercourses at a rate that mimics natural runoff rates. They are common features of new road and have been designed to be located as close to the Scheme as possible taking into account factors such as local topography, floodplains,</p>

Reference Number	Written Representation/Applicant Response
	<p>drainage system invert and cover levels. All drawings indicating pond locations have been referenced in the Drainage Strategy Report <b>[APP-219]</b>.</p> <p>9. The First Iteration Environmental Management Plan <b>[APP-234]</b> sets out the generic measures which will be used by the Principal Contractor to manage excavated materials, wastes and soils during the construction phase, including Annex C - Waste management plan, Annex E - Soil handling and management plan and Annex H – Materials management plan. These generic measures will be expanded upon, where necessary, within the Second Iteration Environmental Management Plan to determine any additional specific mitigation measures to be applied to individual construction activities or receptors.</p> <p>Additional information regarding the borrow pits is reported in the “Borrow Pits Excavation and Restoration Report” <b>[TR010044/EXAM/9.24]</b>, which the Applicant has submitted to the Examination at Deadline 3. The additional information provided includes reference to (but is not limited to) the environmental assessment, excavation methodology, restoration of the borrow pits and the materials to be removed from each borrow pit.</p> <p>11. Impacts on the existing land drainage systems will be dealt with as part of the detailed design and implemented by the Principal Contractor. During detailed design the Applicant will consider the individual needs of each land parcel. Any land drainage severed by the Scheme will be captured by drainage systems such as overland ditches along the Scheme to ensure no worse than the existing land drainage. The Applicant notes the comment on the return of land and will reinstate the land and field drainage in a condition to enable agricultural use post-construction</p> <p>12. The Applicants notes the comments of the NFU in respect of soils handling and management. The Applicant has committed to undertake an intrusive soil sampling survey prior to the commencement of any site works. Following the completion of the survey and the analysis of the findings, a report will be prepared by the Applicant and submitted to the Examination.</p> <p>The findings of the survey will be reviewed against the control measures set out in Annex E of the Soil Management Plan included in the first iteration of the Environmental Management Plan (EMP) <b>[APP-234]</b> and if necessary these measures will be refined in the Second Iteration of the Environmental Management Plan during the detailed design stage of the Scheme.</p> <p>13. In practical terms dust emissions would be managed across the whole construction area and these measures are considered to be protective for arable crops, designated ecosystems and public exposure. Dust mitigation</p>

A428 Black Cat to Caxton Gibbet improvements  
Applicant's Response to Written Representation

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Reference Number	Written Representation/Applicant Response
	measures, based on standard best practice, are set out in the Dust Management Plan in the First Iteration Environmental Management Plan <b>[APP-234]</b> .

## REP1-086 Bryan Cave Leighton Paisner LLP on behalf of National Grid Electricity Transmission Plc and National Grid Gas Plc (National Grid)

Reference Number	Written Representation/Applicant Response
REP1-086a	<p>WRITTEN REPRESENTATION ON BEHALF OF NATIONAL GRID ELECTRICITY TRANSMISSION PLC AND NATIONAL GRID GAS PLC (TOGETHER, NATIONAL GRID)</p> <p><b>1. INTRODUCTION</b></p> <p>1.1 National Grid Electricity Transmission Plc ("<b>NGET</b>") and National Grid Gas Plc ("<b>NGG</b>") (together, "<b>National Grid</b>") made a relevant representation in this matter on 9 June 2020 in order to protect apparatus owned by NGET and NGG.</p> <p>1.2 1.2 National Grid does not object in principle to the development proposed by Highways England (the "<b>Promoter</b>") and as defined as the "<b>Authorised Development</b>" in the draft Development Consent Order (the "<b>Draft Order</b>").</p> <p>1.3 1.3 National Grid does however, object to the Authorised Development being carried out in close proximity to its apparatus in the area unless and until suitable protective provisions and related agreements have been secured to its satisfaction.</p> <p>1.4 1.4 National Grid also objects to any compulsory acquisition powers for land or rights or other related powers to acquire land temporarily, override or otherwise interfere with easements or rights or stop up public or private rights of access being invoked which would affect its land interests, rights, apparatus, or right to access and maintain its apparatus. This is unless and until suitable protective provisions and any other necessary and related amendments have been agreed and included in the Draft Order.</p> <p>1.5 1.5 NGET owns the electricity transmission network in England and Wales NGG is the sole owner and operator of the gas transmission system in Great Britain. NGET and NGG have licences to operate the electricity and gas transmission network, and are required to comply with the terms of these licences in the delivery of their statutory responsibilities. NGET is subject to a statutory duty (under section 9 of the Electricity Act 1989) to, inter alia, maintain 'an efficient, co-ordinated and economical' system of electricity transmission. NGG is under a statutory duty (under section 9 of the Gas Act 1986) to, inter alia, develop and maintain an efficient and economical network for the conveyance of gas.</p> <p><b>2. NGG ASSETS</b></p>

	<p>2.1 NGG owns and operates a high pressure gas transmission pipeline and above ground installation (“AGI”), as shown on the plan appended, located within or in close proximity to the proposed Order limits. These are Feeder Main 18 Huntingdon to St Neots; St Neots to Little Barford Power Station; St Neots to New Wimpole; and AGI Little Barford Power Station. The transmission pipeline and AGI form an essential part of the gas transmission network in England, Wales and Scotland.</p> <p>2.2 NGG is working with the Promoter regarding a diversion of the gas main.</p> <p>2.3 In respect of Feeder Main 18 and the AGI (and any other NGG infrastructure located within the current Order limits, or in close proximity to the Authorised Development and associated works), NGG will require protective provisions to be put in place to ensure:</p> <ul style="list-style-type: none"> <li>(a) that all NGG interests and rights, including rights of access to Feeder Main 18 and the AGI, are unaffected by the powers of compulsory acquisition, temporary possession, and the grant and/or extinguishment of rights as set out in the Draft Order; and</li> <li>(b) that appropriate protection for Feeder Main 18 and any other retained apparatus is maintained during and after construction of the Authorised Development in accordance with both the protective provisions and the relevant safety standards below.</li> </ul> <p>2.4 Investigations regarding site specific interactions and impacts are ongoing between NGG and the Promoter, and NGG reserves the right to raise further issues as these discussions progress. It should be noted that NGG has specific concerns regarding protection of the gas mains at crossing points with the Authorised Development and in particular with crossing point NGO 2B where a proposed new side road crosses a bend in Feeder Main 18. This crossing should be avoided for the purposes of the Authorised Development because of the location of the gas main on a bend. NGG is also considering whether, if this is not possible, suitable asset protection measures would be sufficient and what form these would need to take.</p> <p><b>3. NGG REGULATORY PROTECTION FRAMEWORK</b></p> <p>3.1 Relevant guidance in respect of standards and protocols for working in the vicinity of high pressure gas pipelines applies in the form of National Grid Guidance for Safe Working in the vicinity of High Pressure Pipelines T/SP/SSW/22, which is aimed at parties carrying out work in the vicinity of high pressure gas pipelines and associated installations and is provided to ensure that those planning and undertaking work take appropriate measures to prevent damage.</p> <p>3.2 The requirements in T/SP/SSW/22 are also in line with the IGE (Institution of Gas Engineers) recommendations in IGE/SE/18 Edition 2 – Safe Working Practices to Ensure the Integrity of Gas Pipelines</p>
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	and Associated Installations and HSE's guidance document HS (G) 47 Avoiding Danger from Underground Services.
3.3	NGG requires specific protective provisions to be put in place to provide for an appropriate level of control and protection for all retained assets (including Feeder Main 18 and the AGI) and assurance that industry standards will be complied with in connection with works to and in the vicinity of the same.
<b>4.</b>	<b>NGET ASSETS</b>
4.1	NGET has a high voltage electricity overhead transmission line within or in close proximity to the proposed Order limits. This is the 4VK (400kV) overhead line Eaton Socon – Wymondley Main; Cottam – Eaton Socon – Wymondley 2 (the "OHL"), as shown on the plan appended. The overhead line forms an essential part of the electricity transmission network in England and Wales. Following further investigation, the fibre cable alongside the existing A428 alignment, referred to in National Grid's relevant representation is not considered to be a National Grid asset.
4.2	In respect of the OHL (and any other NGET infrastructure located within the current Order limits, or in close proximity to the Authorised Development and associated works), NGET will require protective provisions to be put in place to ensure: <ul style="list-style-type: none"> <li>(a) that all NGET interests and rights, including rights of access to pylon bases, are unaffected by the powers of compulsory acquisition, temporary possession, and the grant and/or extinguishment of rights as set out in the Draft Order; and</li> <li>(b) that appropriate protection for the OHL and any other retained apparatus is maintained during and after construction of the Authorised Development in accordance with both the protective provisions and the relevant safety standards below.</li> </ul>
4.3	Investigations regarding site specific interactions and impacts, including clearance requirements, are ongoing between NGET and the Promoter, and NGET reserves the right to raise further issues as these discussions progress.
<b>5.</b>	<b>NGET REGULATORY PROTECTION FRAMEWORK</b>
5.1	NGET has issued guidance in respect of standards and protocols for working near to electricity transmission equipment in the form of: <ul style="list-style-type: none"> <li>(a) Third Party Working near National Grid Electricity Transmission equipment - Technical Guidance Note 287. This cross refers to statutory electrical safety clearances which are used as the basis for ENA (TA)</li> </ul>

Reference Number	Written Representation/Applicant Response
	<p>43-8, which must be observed to ensure safe distance is kept between exposed conductors and those working in the vicinity of electrical assets; and</p> <p>(b) Energy Network Associations Development near Overhead Lines ENA (TS) 43-8, which sets out the derivation and applicability of safe clearance distances in various circumstances including crossings of overhead lines and working in close proximity.</p> <p>(c) Additionally, HSE's guidance note 6 "Avoiding Danger from Overhead Power Lines" summarises advice to minimise risk to life/personal injury and provide guidance to those planning and engaging in construction activity in close proximity to overhead lines.</p> <p>5.2 NGET requires specific protective provisions in place to provide for an appropriate level of control and assurance that industry standards will be complied with in connection with works to and in the vicinity of its electricity assets (including the OHL).</p> <p><b>6. PROPERTY ISSUES</b></p> <p>6.1 National Grid asserts that maintaining appropriate property rights to support its assets (both gas and electricity) and protecting these from compulsory acquisition and related powers in the Draft Order is a fundamental safety issue.</p> <p>6.2 Insufficient property rights would have the following safety implications:</p> <p>(a) inability for qualified personnel to access apparatus for its maintenance, repair and inspection;</p> <p>(b) risk of strike to buried assets or cable/overhead lines if development occurs within the easement zone which seeks to protect such apparatus; and</p> <p>(c) risk of inappropriate development within the vicinity of the assets, thereby increasing the risk of damage to the asset and to the integrity of the gas or electricity transmission network as relevant.</p> <p><b>7. PROTECTIVE PROVISIONS</b></p>



Reference Number	Written Representation/Applicant Response
	<p>7.1 National Grid seeks to protect its statutory undertakings, and insists that in respect of connections and work in close proximity to its apparatus (including Feeder Main 18, the AGI and the OHL) as part of the Authorised Development the following procedures are complied with by the Promoter:</p> <ul style="list-style-type: none"> <li>(a) NGG or NGET as relevant is in control of the plans, methodology and specification for works within specified distances of any retained Apparatus;</li> <li>(b) works within the vicinity of National Grid's apparatus are not authorised or commenced unless protective provisions are in place preventing compulsory acquisition of National Grid's land or rights or the overriding or interference of the same. Any acquisition of rights must be subject to National Grid's existing interests and rights and not contradict or cut across such rights; and</li> <li>(c) appropriate surety and insurance provisions are in place to back up an uncapped indemnity to protect National Grid from any damage, losses or claims arising from the Authorised Development.</li> </ul> <p>7.2 Despite preliminary discussions with the Promoter relating to the same, the Draft Order does not yet contain agreed protective provisions to NGG's or NGET's satisfaction, making it currently deficient from National Grid's perspective.</p> <p>7.3 Should it not be possible to reach agreement with the Promoter, National Grid reserves the right to attend a Compulsory Acquisition Hearing or Issue Specific Hearing to address the required format of the Protective Provisions and any necessary amendments to the Draft Order.</p> <p>7.4 If this is necessary, National Grid reserves the right to provide the Examining Authority with further written information in advance in support of any detailed issues remaining in dispute between the parties at that stage.</p>
Applicant Response	<p>The Applicant notes the position of National Grid. As stated in the Applicant's response to the Relevant Representations <b>[REP1-021]</b> the Applicant is working with National Grid in relation to protective provisions and any supplementary agreement. As also noted in the Undertakers' Progress Schedule <b>[REP1-036]</b> a draft side agreement has been agreed in principle and is the subject of ongoing discussions between the parties.</p>

## REP1-087 Natural England

Reference Number	Summary of Written Representation/Applicant Response
REP1-087a	<p>2. CONSERVATION DESIGNATIONS, FEATURES AND INTERESTS THAT COULD BE AFFECTED BY THE PROPOSED PROJECT</p> <p><b>2.1</b> International conservation designations <u>Eversden and Wimpole Woods SAC</u></p> <p>2.1.1 The Annex II feature present, as a qualifying feature that is a primary reason for site selection is the presence of barbastelle bat. The site comprises a mixture of ancient coppice woodland (Eversden Wood) and high forest woods likely to be of more recent origin (Wimpole Woods). Full site data and boundary map for the SAC are attached at Annex A.</p> <p>2.1.2 After the submission of the Habitat Regulations Assessment: No significant Effects Report (Highways England, February 2021), Natural England does not consider there is sufficient information available to rule out likely significant effect with regard to the Eversden and Wimpole Woods SAC bat population. Barbastelle bats have been recorded travelling up to 20km<sup>1</sup> from their roost and the A428 scheme is located approximately 8km at its nearest point from Eversden and Wimpole Woods SAC. Whilst it is acknowledged that the Core Sustainance Zone (CSZ) of pregnant barbastelles is generally 6km (BCT (2020)), home ranges can vary, depending on the available resource. Natural England is also concerned by the comment 'bats would be tracked for 5km' as ideally bats should be tracked to their roosts. - During the Issue Specific Hearing on 18 August 2021 NE were advised that bats were tracked to their roosts but none of these were further than 5km from the point of capture. Mindful of the possibility that Barbastelle bats functionally linked with the SAC could be affected by the project, we have therefore advised the applicant to provide the following additional information:</p> <ul style="list-style-type: none"> <li>• Alongside the maternity colony considerations, consideration is required of the winter foraging, hibernation and population exchange with other known barbastelle colonies in the area to inform the HRA as these are considered important supporting functions to the SAC;</li> <li>• Efforts should be made to identify whether the scheme impacts on winter foraging (hibernating) barbastelle; notably to inform the HRA for the SAC. Winter feeding grounds are important in maintaining bat energy reserves throughout the hibernation period, this information will be critical in determining No Adverse Effect on the Eversden and Wimpole SAC, for which barbastelle are the qualifying feature. Winter</li> </ul>

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	<p>automated static acoustic bat detector work should be undertaken along key sections of the route in areas that represent optimal winter foraging habitat. We would advise HE to undertake static detector monitoring for at least 6 nights, preferably 10, for each of the winter months (i.e. November to March inclusive);</p> <ul style="list-style-type: none"> <li>▪ Limited geographical and temporal information has been collected from advanced licensed bat survey techniques (ALBST) with no pre-parturition surveys conducted and a small number of barbastelles trapped and tracked. Furthermore, the only bat trapping survey carried out were at the far western end of the route, away from the SAC. Natural England advises that further data should be collected by ALBST along the length of the scheme or through further surveys of Eversden and Wimpole Woods SAC population. The home range of the maternity colonies, main foraging area and flight lines as well as the seasonal changes in habitat use in the barbastelle population need to be identified in order to determine how they may be impacted by the scheme i.e. severance of key areas.</li> <li>• Cumulative and in combination impacts with other known developments should be considered as part of the EIA as HRA as appropriate.</li> </ul>
Applicant Response	<p>The Applicant acknowledges Natural England's position and has agreed to undertake further bat surveys, subject to obtaining the necessary consents and agreements, the scope of which seeks to collate further evidence to inform the available baseline. These surveys are being undertaken without prejudice to the Applicant's position that sufficient information already exists to rule out likely significant effects on Eversden and Wimpole Woods SAC. It is intended that the results of these further surveys would be submitted to the Examination at Deadline 7.</p>
REP1-087b	<p><u>Portholme Special Area of Conservation (SAC)</u></p> <p>2.1.3 The primary qualifying feature of Portholme SAC is the presence of lowland hay meadows. This large site represents lowland hay meadows in eastern England. It is the largest surviving traditionally managed lowland meadow in the UK, with an area of 104ha of alluvial flood meadow (7% of the total UK resource). Full site data and boundary map for the SAC are attached at Annex A.</p> <p>2.1.4 After the submission of the Habitat Regulations Assessment: No significant Effects Report (Highways England, February 2021), Natural England is satisfied on the basis of the information submitted that, for the purposes of the Habitats Regulations, that the project will not have a likely significant effect on Portholme SAC, alone or in combination with any other plan or project. The scheme is 8.9 km from the Portholme site and incorporates embedded mitigation measures to reduce the environmental effects of the scheme, set out in</p>

Reference Number	Summary of Written Representation/Applicant Response
	Chapter 2, The Scheme of the Environmental Statement [TR010044/APP/6.1] and best practice management and control measures that would be employed during construction of the Scheme, presented in the First Iteration Environmental Management Plan [TR010044/APP/6.8]. Natural England is satisfied that there has been sufficient consideration of the effects of the proposed scheme, including proposed drainage, to conclude that the scheme, with embedded and essential mitigation measures, is not likely to have a significant effect on the qualifying SAC features of the site.
Applicant Response	The Applicant notes the response from Natural England.
REP1-087c	<p data-bbox="591 651 1823 683"><u>Ouse Washes Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site</u></p> <p data-bbox="495 703 1948 831">2.1.5 The Annex II feature present, as a qualifying feature that is a primary reason for site selection of the SAC is spined loach populations within the River Ouse catchment. The Counter Drain, with its clear water and abundant macrophytes, is particularly important, and a healthy population of spined loach is known to occur. Full site data and boundary map for the SAC are attached at Annex A.</p> <p data-bbox="495 847 1948 1038">2.1.6 This site qualifies as an SPA under Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive: ruff, spotted crane during the breeding season and Bewick's swan, hen harrier, ruff, whooper swan over winter. The site also qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species: blacktailed godwit, gadwall, shoveler, during the breeding season and black-tailed godwit, gadwall, pintail, pochard, shoveler, wigeon over winter.</p> <p data-bbox="495 1054 1948 1182">2.1.7 The area qualifies under Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl. Over winter, the area regularly supports 64,392 individual waterfowl including: lapwing, coot, tufted duck, mallard, teal, cormorant, black-tailed godwit, pochard, shoveler, pintail, gadwall, wigeon, ruff, whooper swan, Bewick's swan.</p> <p data-bbox="495 1198 1948 1388">2.1.8 The Ouse Washes is designated under Ramsar criterion 1, criterion 2, criterion 5 and criterion 6. The site is one of the most extensive areas of seasonally-flooding washland of its type in Britain and supports several nationally scarce plants. Invertebrate records indicate that the site holds relict fenland fauna, including the British Red Data Book species the scarce chaser dragonfly and the riffle beetle Oulimnius major. The site also supports a diverse assemblage of nationally rare breeding waterfowl associated with seasonally-flooding wet grassland including assemblages of international importance and species/populations occurring at levels of</p>

Reference Number	Summary of Written Representation/Applicant Response
	<p>international importance. Species of particular importance Bewick's swan, whooper swan, wigeon, gadwall, teal, pintail, shoveler.</p> <p>2.1.9 After the submission of the 'Habitat Regulations Assessment: No significant Effects Report (Highways England, February 2021), Natural England is satisfied on the basis of the information submitted that, for the purposes of the Habitats Regulations, the project is unlikely to have a significant effect on The Ouse Washes SAC, SPA and Ramsar site alone or in combination with any other plan or project. The scheme is 16.01km from the Ouse Washes site and incorporates embedded mitigation measures to reduce the environmental effects of the scheme, set out in Chapter 2, The Scheme of the Environmental Statement [TR010044/APP/6.1] and best practice management and control measures that would be employed during construction of the Scheme, presented in the First Iteration Environmental Management Plan [TR010044/APP/6.8]. Natural England is satisfied that there has been sufficient consideration of the effects of the proposed scheme, including proposed drainage, to conclude that the scheme, with embedded measures, is not likely to have a significant effect on the qualifying SAC features of the site.</p>
Applicant Response	The Applicant notes the response from and conclusions reached by Natural England.
REP1-087d	<p><b>2.2</b> National conservation designations</p> <p><u>Eversden and Wimpole Woods Site of Special Scientific Interest (SSSI)</u></p> <p>2.2.1 Eversden Wood is an important ancient semi-natural woodland of a type now localised in extent, and rare in lowland England. The habitats present support a nationally important summer maternity roost for the barbastelle bat. The SSSI citation and boundary map are attached at Annex A.</p> <p>2.2.2 The only interest feature that could be impacted by the scheme is the notified barbastelle bat therefore Natural England's consideration of this interest feature will be within the context of the HRA as it is the same interest feature affected. Natural England does not consider there is sufficient information available to rule out likely significant effect with regard to the Eversden and Wimpole Woods SSSI/SAC bat population. Barbastelle bats have been recorded travelling up to 20km from their roost and the A428 scheme is located approximately 8km at its nearest point from Eversden and Wimpole Woods SSSI. Whilst it is acknowledged that the Core Sustainance Zone (CSZ) of pregnant barbastelles is generally 6km (BCT (2020)), home ranges can vary, depending on the available resource.</p>

Reference Number	Summary of Written Representation/Applicant Response
Applicant Response	<p>The Applicant acknowledges Natural England's position and has agreed to undertake further bat surveys, subject to obtaining the necessary consents and agreements, the scope of which seeks to collate further evidence to inform the available baseline. These surveys are being undertaken without prejudice to the Applicant's position that sufficient information already exists to rule out likely significant effects on Eversden and Wimpole Woods SAC. It is intended that the results of these further surveys would be submitted to the Examination at Deadline 7.</p>
REP1-087e	<p><u>Portholme Site of Special Scientific Interest (SSSI)</u></p> <p>2.2.3 The site is approximately 8.9km from the proposed scheme. This site is the largest surviving traditionally-managed lowland hay meadow in the UK supporting MG4 Biodiversity Action Plan Priority habitat supporting a small population of the fritillary. The SSSI citation and boundary map are attached at Annex A.</p> <p>2.2.4 During construction potential impacts on water quality will be addressed through embedded pollution prevention measures discussed in Chapter 2, The Scheme of the Environmental Statement (ES) [TR010044/APP/6.1] and Best practice management and control measures that would be employed during construction of the Scheme, are presented in the First Iteration Environmental Management Plan [TR010044/APP/6.8]. On this basis it is Natural England's view that significant adverse effects on the notified features of Portholme SSSI, during the construction or operational phase of the scheme, are unlikely and the effects can therefore considered to be neutral. We note that the potential effects of the scheme on the notified SSSI interest has not been addressed through the Environmental Statement; our advice is that the ES should be updated accordingly</p>
Applicant Response	<p>The Applicant welcomes Natural England's agreement that construction and operation of the Scheme would have a neutral effect on Portholme SSSI.</p> <p>The effects on the SAC and SSSI designations protecting this site have been fully assessed as part of the Applicant's Habitats Regulations Assessment: No Significant Effects Report [APP-233]. The Applicant refers Natural England to Table 4-1 of this report [APP-233] which clarifies that this European site includes the component SSSI designation. This is also reflected in the Citation for the SAC included within Appendix B of this report [APP-233].</p> <p>Accordingly, the Applicant does not believe that an update to the Environmental Statement is necessary to report a neutral effect on the Site's nationally important SSSI designation, as this has already been considered within the assessment of effects on the European level SAC designation.</p>

Reference Number	Summary of Written Representation/Applicant Response
REP1-087f	<p data-bbox="591 379 1263 408"><u>Ouse Washes Site of Special Scientific Interest (SSSI)</u></p> <p data-bbox="497 427 1939 619">2.2.5 The site is one of the country's few remaining areas of extensive washland habitat. It is of particular note for the large numbers of wildfowl and waders which supports, for the large area of unimproved neutral grassland communities which it holds and for the richness of the aquatic fauna and flora within the associated watercourse. The capacity of the site to hold wintering and breeding waterfowl and waders is of international significance. Of particular note in the winter are the large number of teal, pintail, wigeon, shoveler, pochard and Berwick's swan. The SSSI citation and boundary map are attached at Annex A.</p> <p data-bbox="497 638 1939 829">2.2.6 Natural England is satisfied that there will be no impacts on the notified features of the SSSI during construction and operation. The scheme is 16.01km from the Ouse Washes site and there has been sufficient consideration of the proposed drainage to confirm that the proposals are not likely to have a significant effect on the notified features of the site. We note that the potential effects of the scheme on the notified SSSI interest has not been addressed through the Environmental Statement; our advice is that the ES should be updated accordingly.</p> <p data-bbox="497 849 1939 1072">2.2.7 During construction potential impacts on water quality will be addressed through embedded pollution prevention measures discussed in Chapter 2, The Scheme of the Environmental Statement (ES) [TR010044/APP/6.1] and Best practice management and control measures that would be employed during construction of the Scheme, are presented in the First Iteration Environmental Management Plan [TR010044/APP/6.8]. Natural England therefore agrees that no significant adverse effects have been identified for the Ouse Washes SSSI during the construction or operational phase of the scheme and effects are therefore considered to be neutral.</p>
Applicant Response	<p data-bbox="497 1109 1939 1173">The Applicant welcomes Natural England's agreement that construction and operation of the Scheme would have no impacts on the Ouse Washes SSSI.</p> <p data-bbox="497 1192 1939 1316">The effects on the SAC and SSSI designations protecting this site have been fully assessed as part of the Applicant's Habitats Regulations Assessment: No Significant Effects Report [APP-233]. The Applicant refers Natural England to Table 4-1 of this report [APP-233] which clarifies that this European site includes the component SSSI designation. This is also reflected in the Citation for the SAC included within Appendix B of this report [APP-233].</p>



Reference Number	Summary of Written Representation/Applicant Response
	Accordingly, the Applicant does not believe that an update to the Environmental Statement is necessary to report a neutral effect on the Site's nationally important SSSI designation, as this has already been considered within the assessment of effects on the European level SAC designation.
REP1-087g	<p><u>St. Neots Common Site of Special Scientific Interest (SSSI)</u></p> <p>2.2.8 This riverside common holds alluvial grassland and associated ponds, ditches and willow carr which together provide an area of diverse wildlife habitat supporting a variety of species. The SSSI citation and boundary map are attached at Annex A.</p> <p>2.2.9 This site is 1km to the north-west of the scheme. Natural England is satisfied with the finding in Chapter 8 of the ES that no impacts on the SSSI features are anticipated. Indirect impacts such as oil or chemical spills and air pollution from dust, and silt, which could result in the loss of plants through uptake of contaminants will be mitigated through the adoption of best practice for the Scheme (First Iteration EMP [TR010044/APP/6.8]). Additionally, the drainage system will be designed and constructed in accordance with water quality standards as set using the Highways England Water Risk Assessment Tool (HEWRAT).</p>
Applicant Response	The Applicant notes the response from Natural England.
REP1-087h	<p><u>Little Paxton Woods Site of Special Scientific Interest (SSSI)</u></p> <p>2.2.10 This ancient wood is wet Ash (<i>Fraxinus excelsior</i>) and Field Maple (<i>Acer campestre</i>) on heavy calcareous clay, with seasonally waterlogged soils. It has a diverse flora. A double bank and ditch with Wood Melick (<i>Melica uniflora</i>), Sweet Violet (<i>Viola odorata</i>) and the nationally restricted Spiked Star-of - Bethlehem (<i>Ornithogalum pyrenaicum</i>) contribute to a very diverse flora. The SSSI citation and boundary map are attached at Annex A.</p> <p>2.2.11 This site is 1.8 kilometres north-west of the scheme. Natural England is satisfied with the findings in Chapter 8 of the ES that no impacts on the SSSI features are anticipated. Indirect impacts such as oil or chemical spills and air pollution from dust, and silt, which could result in the loss of plants through uptake of contaminants will be mitigated through the adoption of best practice for the Scheme (First Iteration EMP [TR010044/APP/6.8]).</p>
Applicant Response	The Applicant welcomes Natural England's satisfaction that the Scheme will not impact on the features of Little Paxton Woods SSSI.

Reference Number	Summary of Written Representation/Applicant Response
REP1-087i	<p><u>Elsworth Wood Site of Special Scientific Interest (SSSI)</u></p> <p>This site has three different uncommon types of woodland. It is mainly coppiced Field Maple (<i>Acer campestre</i>), with a varied shrub layer and the ground flora is mainly Dog's Mercury (<i>Mercurialis perennis</i>) and Bluebell (<i>Hyacinthoides non-scripta</i>) together with a considerable population of Nationally Scarce oxlip (<i>Primula elatior</i>). The invertebrate community includes several nationally uncommon beetles, such as a species of rove beetle (<i>Stichoglossa semirufa</i>). The SSSI citation and boundary map are attached at Annex A.</p> <p>2.2.12 This site is 0.85 kilometres from the scheme. We agree with the evaluation provided in Appendix 8.2 of the Environmental Statement [TR010044/APP/6.3], including an appraisal of the hydrological effects of the Scheme, that there will be no significant effects from the Scheme and effects are therefore considered to be neutral.</p> <p>2.2.13 Discussions are ongoing in relation to SAC bat usage (whether it is functionally linked with the of Elsworth Wood) and its relationship to the Scheme.</p>
Applicant Response	The Applicant welcomes Natural England's agreement that the Scheme will have neutral effect on Elsworth Wood SSSI.
REP1-087j	<p><u>Papworth Woods Site of Special Scientific Interest (SSSI)</u></p> <p>2.2.14 One of the oldest secondary woods in Cambridgeshire. Although originally a coppice- with-standards woodland of Ash (<i>Fraxinus excelsior</i>), Field Maple and Hazel (<i>Corylus avellana</i>) the site is now dominated by invasive Small-leaved Elm (<i>Ulmus minor</i>) and represents a woodland type scarce in Britain. The SSSI citation and boundary map are attached at Annex A.</p> <p>2.2.15 The site is 1.14 kilometres north of the scheme. Natural England is satisfied with the findings in Chapter 8 of the ES that no impacts on the SSSI features are anticipated. Indirect impacts such as oil or chemical spills and air pollution from dust, and silt, which could result in the loss of plants through uptake of contaminants will be mitigated through the adoption of best practice for the Scheme (First Iteration EMP [TR010044/APP/6.8]).</p>
Applicant Response	The Applicant welcomes Natural England's satisfaction that the Scheme will not impact on the features of Papworth Woods SSSI.

Reference Number	Summary of Written Representation/Applicant Response
REP1-087k	<p><b>2.3</b> European Protected Species</p> <p><u>Bats</u></p> <p>2.3.1 Bats are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended)</p> <p>2.3.2 In providing our advice, Natural England has made efforts to distinguish Barbastelle bats linked with the Eversden &amp; Wimpole Woods SAC from other bat species (but also other non-SAC Barbastelle bats where possible). There is inevitably overlap between bats as a receptor for EIA and HRA purposes, and we have tried to indicate which regulatory framework we are referring to, and where uncertainties exist.</p> <p>2.3.3 The additional crossing point and static detector surveys during autumn and winter set out below in regards to the Eversden and Wimpole Woods SAC will provide further information about how bat species are using the scheme. This should be used to inform mitigation such as crossing point structures which need to be located precisely on existing flight lines and commuting routes.</p> <p>2.3.4 Bat surveys have been conducted between 2018 and 2020 and all accessible trees and structures within 100m of the Order Limits were assessed where relevant, according to preliminary roost appraisal surveys. It is understood that no identified bat roosts will be directly impacted by works. However due to the highly mobile nature of bats and their tendency to switch between tree roosts, coupled with the difficulties in surveying trees, there is the potential for roosts to be missed.</p> <p>2.3.5 As bat roosts identified at a late stage can cause delays to the project, it may be beneficial to consider applying for a bat mitigation licence under Licence Policy 4 for any areas where large number of trees needing to be felled. Using the survey data available to date and results of additional surveys carried out you will need to provide an indication of species and numbers of bats likely to be present in the affected area.</p> <p>2.3.6 Only a single bat underpass has been proposed to date and no details have been provided regarding the design or it's suitability for use by different bat species, likely to use the nearby woodlands severed by the scheme in this location. Crossing structure designs should take into account the species currently using the feature to be severed by the road and the heights at which they fly. In addition, it is unclear whether the other mammal underpasses crossing points proposed will be designed to also make them suitable for use by bats.</p> <p>2.3.7 The use of lighting both during and post construction should be kept to a minimum and illumination of bat roost, foraging habitat and commuting routes avoided. Natural England understands there is no detailed</p>

Reference Number	Summary of Written Representation/Applicant Response								
	lighting plan available at present for the scheme but advises that bat use of the surrounding landscape should be taken into account when designing the lighting strategy.								
Applicant Response	<p>The Applicant acknowledges Natural England’s position and has agreed to undertake further bat surveys, subject to obtaining the necessary consents and agreements, the scope of which seeks to collate further evidence to inform the available baseline. These surveys are being undertaken without prejudice to the Applicant’s position that sufficient information already exists to rule out likely significant effects on Eversden and Wimpole Woods SAC. It is intended that the results of these further surveys would be submitted to the Examination at Deadline 7.</p> <p>Further to the bat surveys conducted between 2018 and 2020 determining that no bat roosts will be directly impacted by works and bearing in mind the highly mobile nature of bats and their tendency to switch between tree roosts, additional surveys were undertaken in 2021 and, again, no roosts were found. It should be stressed that in this intensive arable farm landscape there are relatively few trees and there are no areas where large number of trees need to be felled.</p> <p>The Applicant would normally only use Licence Policy 4 where there was a confirmed roost and less than the recommended survey effort needed to apply for a licence. This is not the case for this scheme. Further to completion and reporting of the 2021 surveys, the Applicant will discuss any requirement for a licence to be assessed and agreed with NE.</p> <p>Further to the need for any bat licencing, the Biodiversity Pre-Commencement Plan [APP-239] requires the Principal Contractor to undertake pre-commencement surveys for bats in advance of tree felling and other works. Where any disturbance to, or removal of, bat roosts is confirmed within the Order Limits, a licence will be sought from Natural England as described within the Applicant’s Updated Consents and Agreements Position Statement (Clean) Rev 2 [REP1-007].</p> <p>Five mitigation crossing points are embedded in the Scheme. These are shown on the Environmental Masterplan [APP-091] and details are shown in Engineering Section – Structures General Arrangements (page23) [APP-019]. The essential dimensions are summarised in Table 1..</p> <p><b>Table 1. Summary of key dimensions of bat mitigation crossing points</b></p> <table><tr><th>Mitigation crossing point</th><th>Height (m)</th><th>Width (m)</th><th>Other features</th></tr><tr><td></td><td></td><td></td><td></td></tr></table>	Mitigation crossing point	Height (m)	Width (m)	Other features				
Mitigation crossing point	Height (m)	Width (m)	Other features						

Reference Number	Summary of Written Representation/Applicant Response			
	River Great Ouse	3 (minimum)	27.1 to 34.6	Part of river corridor
	Railway line	7.2 (minimum)	75	Part of rail corridor
	Sir John's Wood to Boys Wood tunnel	5.3	5.7	Directly replaces flight line along hedgerow
	Hen Brook tunnel	4.25	7	Part of river corridor
	Pillar Plantation tunnel	3.7	5.2	Part of well-established bridleway
	<p>In relation to lighting during construction, the Applicant refers Natural England to commitments made in paragraphs 1.5.3, 1.8.3, 1.8.4 and 1.8.9 of Annex D: Biodiversity Management Plan within the First Iteration Environmental Management Plan [APP-234]. In relation to operational lighting, paragraphs 2.5.82 – 2.5.84 and Table 2-1 in Chapter 2, The Scheme [APP-071] of the Environmental Statement explain how road safety and other factors (including nocturnal species such as bats) has informed the locations where road lighting is to be installed. The Scheme proposes lighting at conflict areas, typically roundabouts (see orange hatched carriageway in General Arrangement Plans [APP-011]). There is already lighting at most of these conflict areas and this will be similar in scale to the baseline. For the majority of the Scheme and for the bat tunnel and other underpasses, there will be no lighting and hence there will be no impact from lighting on bats. Neither the River Great Ouse viaduct nor the Toseland Road bridge will be lit. Further details regarding construction and operational lighting will be developed as part of the detailed design phase.</p>			
REP1-087I	<p><u>Great crested newt (GCN)</u></p> <p>2.3.8 Great crested newts are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended).</p> <p>2.3.9 The scheme involves the temporary loss of breeding ponds and terrestrial habitat. Chapter 8 of the ES identifies that the scheme will have minor adverse impact on GCN which will be offset through an overall increased provision of ponds and wetland areas. Natural England is satisfied with this noting that Highways England are in the process of joining District Level Licensing DLL) schemes. Should DLL not be progressed for any reason Highways England will require a Natural England European Protected Species (EPS) Licence.</p>			

Reference Number	Summary of Written Representation/Applicant Response
	<p>In such case we recommend that a full draft GCN application is agreed with Natural England as soon as possible, in order to expedite the issue of a Letter of No Impediment (LONI) for the examination.</p>
Applicant Response	<p>Due to the limited availability of ponds to progress District Level Licensing within the Cambridgeshire scheme, as noted by Natural England in its Relevant Representation [RR-076], a European Protected Species License is now being sought in relation to Great Crested Newt.</p> <p>The Applicant expects to submit an application for this license to Natural England, which will include details of impacts, mitigation and if required the monitoring necessary to obtain a Letter of No Impediment.</p>
REP1-087m	<p><u>Otters</u></p> <p>2.3.10 Otters are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended).</p> <p>2.3.11 Chapter 8 and Appendix 8.7 of the Environmental Statement [TR010044/APP/6.3] In general, present a good summary of the relevant legislation and policies and construction working standards. The desk studies followed normal practice, however, contact does not seem to have been made with the University of Cardiff who might hold additional information on road casualty otters from this area. The otter surveys are comprehensive and follow standard methodology. There appear to be no serious constraints to the field surveys, however, there is a reference to inspecting bridges (Chapter 8: Biodiversity TR010044/APP/6.1 page 21) "Spot checks were also conducted on bridges within 5 kilometres up and downstream of the Scheme, where accessible". There seems to no further reference to this in the Appendix 8.7: Riparian Mammals which, given the large range of otters along waterways (c.12 miles), might have given additional useful information. The information on the ecology of riparian species in Appendix 8.7 1.2 is too brief for anyone not already familiar with these mammals.</p> <p>2.3.12 The River Great Ouse is identified as an important resource for otters: "The nature conservation value for Otter is of Regional importance" (TR010044/APP/6.1 8.6.41). Construction impacts are classified (8.9.62) as "Construction disturbance and temporary disruption to connectivity upon Otter, a species of Medium environmental value are likely to result in a magnitude of impact of Minor (adverse), leading to a significance of Slight (adverse)". Otters are the subject of Local Authority BAP's for the area: Appendix 8.7, Table 2.1. Otters seem to be regarded more highly than Water Voles.</p>

Reference Number	Summary of Written Representation/Applicant Response
	<p>2.3.13 Natural England is satisfied in principle, with the outline mitigation proposed for otters, subject to agreement of the detail following completion of survey updates. This should including measures to mitigate the effects of lighting, there is some reference to lighting (which could disturb otters), but only in relation to bats (8.9.49).</p>
Applicant Response	<p>The Applicant notes that Natural England is satisfied in principle with the outline mitigation proposed for Otter, subject to agreement of the detail following completion of survey updates, The Applicant plans to undertake pre-construction Otter survey in a 2022.</p> <p>Applicant will undertake a pre-construction Otter survey to check for any changes in Otter distribution and, or behaviour.</p> <p>In relation to lighting during construction which could disturb Otter, the Applicant refers Natural England to commitments made in paragraphs 1.5.3, 1.8.3, 1.8.4 and 1.8.9 of Annex D: Biodiversity Management Plan within the First Iteration Environmental Management Plan <b>[APP-234]</b>. In relation to operational lighting, paragraphs 2.5.82 – 2.5.84 and Table 2-1 in Chapter 2, The Scheme <b>[APP-071]</b> of the Environmental Statement explain how road safety and other factors has informed the locations where road lighting is to be installed. The Scheme proposes lighting at conflict areas, typically roundabouts (see orange hatched carriageway in General Arrangement Plans <b>[APP-011]</b>). There is already lighting at most of these conflict areas and this will be similar in scale to the baseline. For the majority of the Scheme and for the mammal underpasses including the River Great Ouse viaduct, there will be no lighting and hence there will be no impact from lighting on Otter.</p> <p>Water Vole was subject to as detailed and extensive surveys as Otter but as confirmed from accounts of Water Vole in Bedfordshire and Cambridgeshire (Appendix 8-1 Background Information) and Environment Agency information, Water Vole is absent from the watercourses within and around the Scheme.</p>
REP1-087n	<p><b>2.4</b> Nationally Protected Species <u>Wintering and breeding birds</u></p> <p>2.4.1 All wild bird species, their eggs and nests are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended).</p> <p>2.4.2 The ES has identified minor adverse impact to wintering and breeding birds, including barn owl, red kite and hobby, through temporary loss of habitat / nesting habitat and disturbance and direct loss of farmland bird</p>



Reference Number	Summary of Written Representation/Applicant Response
	habitat including arable land, hedgerows and scrub. Natural England is satisfied in principle with the mitigation measures set out in the Biodiversity Management Plan (BMP), subject to agreement of the detail.
Applicant Response	The Applicant notes the response from Natural England.
REP1-087o	<p><u>Common lizard</u></p> <p>2.4.3 Common lizard is protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and listed as priority species within the UK Post-2010 Biodiversity Framework.</p> <p>2.4.4 Natural England is satisfied that there will be negligible impact following implementation of best practice working methods and habitat creation and enhancement outlined in the BMP.</p>
Applicant Response	The Applicant notes the response from Natural England.
REP1-087p	<p><u>Badgers</u></p> <p>2.4.5 Badgers are protected under the Protection of Badgers Act 1992 (as amended).</p> <p>2.4.6 Potential impacts on badgers have been identified and will be mitigated through creation of a new sett and provision of underpasses. Natural England have assessed a draft licence application and issued a 'letter of no impediment' (Annex B) confirming that it sees no impediment to granting a licence in the future subject to the outlined issues with the method statement being addressed before the licence application is formally submitted [ ] (AECOM) has confirmed via e-mail correspondence on 13 July 2021 that the necessary amendments would be made.</p>
Applicant Response	The Applicant notes the response from Natural England and confirms that a Letter of No Impediment has been received for badgers.
REP1-087q	<p><b>2.5</b> Landscape designations</p> <p>2.5.1 There are no statutorily designated landscapes relevant to the Scheme hence Natural England offers no further comment.</p>

Reference Number	Summary of Written Representation/Applicant Response
Applicant Response	The Applicant notes the response from Natural England.
REP1-087r	<p><b>2.6</b> Non-designated interests and features of concern</p> <p><b>2.6.1</b> The following areas of non-designated but valuable and sensitive habitat could be affected:</p> <ul style="list-style-type: none"> <li>• Great Ouse Valley County Wildlife Site (CWS);</li> <li>• Begwary Brook Pits CWS and Wildlife Trust Nature Reserve;</li> <li>• Birchfield Farm Meadows CWS;</li> <li>• Croxton Park CWS;</li> <li>• Elsworth (A428 to Common Farm) Protected Roadside Verge (CWS);</li> <li>• Eltisley Wood CWS;</li> <li>• Great Barford House Grassland CWS;</li> <li>• Latch Pool and Ditch CWS;</li> <li>• Little Barford CWS;</li> <li>• Palaceyard Wood CWS;</li> <li>• River Great Ouse CWS;</li> <li>• Rivers Ivel and Hiz CWS;</li> <li>• Sir John's Wood CWS;</li> <li>• Willow Pollards West of Sharp's Barn CWS;</li> <li>• Wyboston Pits CWS;</li> <li>• Zwetlots Pits CWS.</li> </ul> <p><b>2.6.2</b> UK Priority Habitats that will be affected by the proposal include broadleaved woodland, ancient and veteran trees and hedgerow.</p>

Reference Number	Summary of Written Representation/Applicant Response
	2.6.3 Non-designated interests and features are beyond the scope of Natural England's remit hence we offer no further comment, however it should be noted that these sites may provide functionally linked habitat to the Eversden & Wimpole Woods SAC.
Applicant Response	<p>The Applicant refers Natural England to Response RR-076b in the Applicant's Response to Relevant Representation <b>[REP1-021]</b>, submitted at Deadline 1.</p> <p>With respect to the assertion that non-designated interests and features beyond the scope of Natural England's remit may provide functionally linked habitat to the Eversden &amp; Wimpole Woods SAC, significant survey effort over a number of years including from the Local bat groups and other parties has failed to show any such linkage.</p>
REP1-087s	<p><b>2.7 Soils</b></p> <p>2.7.1 The project will result in physical damage, and or permanent loss of, Best and Most Versatile (BMV) land (Agricultural Land Classification (ALC) grades 1 – 3a) through temporary and permanent landtake; however, impacts have yet to be quantified through ALC and soil resource field survey work due to Covid restrictions. It is proposed to carry these out through 2021 subject to lifting of lockdown restrictions.</p> <p>2.7.2 Based on a worst-case assumption the ES estimates that the proposed development will result in the total permanent loss of 348.94ha of BMV soils as well as the total temporary disturbance of 511.881ha of BMV soils. Physical damage to soil will occur through excavation and temporary storage, soil compaction and the exacerbation of soil erosion through handling and storage of soils. Embedded and essential mitigation measures and monitoring have been incorporated into the scheme to minimise impacts on soils and BMV land as far as possible. Additional essential mitigation and monitoring measures will also be implemented.</p> <p>2.7.3 As advised in our Relevant Representation, we welcome the commitment to a full detailed survey being carried out when lockdown restrictions allow; Natural England strongly encourages this since it will also be part of the soil resource survey to identify soil resources and to inform the soils management plan. There appears to have been good consideration of soil and ALC matters in the submitted documents using key reference and guidance documents. The full Soil Resource Plan (SRP) is required to review the current iteration of proposed soil handling and management in the Soil Management Plan (SMP) (Annex E of the First Iteration Environmental Management Plan) at the detailed design stage.</p>

Reference Number	Summary of Written Representation/Applicant Response
Applicant Response	<p>The Applicant refers Natural England to its response to Q1.14.1.2 <b>[REP1-022]</b> which confirms its intention to undertake detailed soil sampling and report the outcomes of this survey on or before Deadline 6 of the Examination.</p> <p>The findings of the survey will be reviewed by the Applicant against the mitigation, control and protection measures set out in Annex E: Soil Management Plan within the First Iteration Environmental Management Plan [APP-234], and if necessary, these measures will be developed and refined in the Second Iteration Environmental Management Plan.</p>
REP1-087t	<p>2.8 Biodiversity Net Gain</p> <p>2.8.1 As indicated in our Relevant Representation Natural England advises that consideration should be given to incorporating biodiversity and green infrastructure enhancements into the borrow pit restoration schemes to deliver benefits for people and wildlife.</p> <p>2.8.2 We support the calculated delivery of 20.5% biodiversity net gain through the project although we note that the Highways England metric was used instead of the preferred Defra metric which considers habitat condition and other key criteria. For this reason Natural England recommends the use of the Defra 3 metric to ensure accuracy of net gain calculations for this Scheme.</p>
Applicant Response	<p>Regarding the potential to incorporate enhancements into the borrow pit restoration schemes, the Applicant refers Natural England to its response to RR-076p <b>[REP1-021]</b> which explains its position regarding the reinstatement of these areas.</p> <p>The Applicant confirmed in its response to the ExA's Q1.3.2.1 <b>[REP1-022]</b> submitted at Deadline 1 its intention to recalculate the performance of the Scheme using the Defra Metric 2.0 metric. Accordingly, this updated calculation has been prepared and submitted into the Examination at Deadline 3 <b>[TR010044/EXAM/9.25]</b>.</p>
REP1-087u	<p>3 NATURAL ENGLAND'S CONCERNS AND ADVICE</p> <p>3.1 The principal issues</p> <p>3.1.1 Natural England identified the following main issues in its Relevant Representations: • Further information requested should be provided to rule out likely significant effect in regard to the Eversden and Wimpole Woods SAC barbastelle bat population;</p>

Reference Number	Summary of Written Representation/Applicant Response
	<ul style="list-style-type: none"> <li>• ALC and soil resource surveys will need to be completed to inform the SRP and SMP. These issues will be discussed in corresponding sections below along with any updates on the progress or resolution of issues.</li> </ul> <p>3.2 Further information requested should be provided to rule out likely significant effect in regard to the Eversden and Wimpole Woods SAC Barbastelle bat population</p> <p>3.2.1 As detailed above, Natural England does not consider there is sufficient information available to rule out likely significant effect with regard to the Eversden and Wimpole Woods SAC Barbastelle bat population. The main reason for this is that Barbastelle bats are known to traverse up to 20km<sup>2</sup> (and possible further) from their roost site, and although the limited number of trapping, tagging and tracking studies show a core zone within a more constrained area, in our opinion there is insufficient data to confidently conclude that the SAC bats will not travel beyond the DCO boundary limits and therefore would not be affected by the project.</p> <p>3.2.2 Surveys to date have primarily been focused on the main breeding season, however it is also important (for either HRA and/or licensing purposes) to gain an understanding of the use of the site by SAC barbastelle (and general bat species throughout the year). Ideally data would be gathered across all 12 months of the year (for at least one full year) to increase confidence in the survey results and account for seasonal weather variations.</p> <p>3.2.3 For SAC barbastelle (and general bat species) we require an understanding of the dispersal behaviour to hibernation site and/or method of gene flow (e.g. seasonal movement to swarming sites). Therefore additional surveys using static bat detectors should be conducted to identify autumn dispersal routes or the use of the site over the winter season.</p> <p>3.2.4 The Natural England Survey Technical Note HE551495-ACM-GEN-GEN dated 16 July 2021 states that the Scheme has been designed such that it does not significantly affect bat foraging or commuting routes. However according to section 3.10.4 the Environmental Statement TR010044 there are approximately 40 features such as hedges, tracks and paths which will be severed by the scheme, yet only seven of these have been surveyed. Unless all identified potential crossing points are surveyed it is not possible to understand the full impact of the project.</p> <p>3.2.5 During the Issue Specific Hearing on 18 August 2021 it was explained to Natural England that not all of the features identified were potential crossing points. Therefore, further survey should be carried out on all the remaining features that have been identified as potential crossing points unless justification can be provided</p>

Reference Number	Summary of Written Representation/Applicant Response
	<p>for them being scoped out. The results of the crossing point surveys should be used to inform the location of crossing point mitigation features such as bat bridges or underpasses.</p> <p>3.2.6 The Natural England Survey Technical Note HE551495-ACM-GEN-GEN dated 16 July 2021 states that the design includes crossing point structures however bat crossing structures should be placed on the exact location of existing commuting routes. Therefore, until the crossing point surveys have been completed, the number and location of crossing point structures required to prevent fragmentation cannot be finalised.</p> <p>3.3 ALC and soil resource surveys will need to be completed to inform the Soil Resource Plan (SRP) and Soil Management Plan (SMP).</p> <p>3.3.1 We welcome the commitment to a full detailed survey being carried out when lockdown restrictions allow; Natural England strongly encourages this since it will also be part of the soil resource survey to identify soil resources and to inform the soils management plan. Our advice is that soil survey and the SRP and SMP should cover all relevant aspects of the proposed scheme including excavation and restoration of the borrowpits.</p> <p>3.4 Conclusions</p> <p>3.4.1 Natural England has reviewed the Environmental Statement (ES), Habitats Regulations Assessment (HRA) and accompanying documents and is broadly satisfied that impacts to statutorily designated sites, including hydrological and air quality impacts, can be ruled out or proposed mitigation is sufficient to demonstrate no adverse effect. The exception to this is in relation to Eversden and Wimpole Woods SAC. Natural England have advised that further evidence is required, to support the no likely significant effect conclusion of the ES and HRA, for Eversden and Wimpole Woods SAC. As we have expanded in the 'Position Statement' with Highways England, in our view it would be more appropriate (and legally safer) to screen in likely significant effects to the SAC, and consider the impacts in more detail within an Appropriate Assessment. ALC and soil resource surveys will also need to be completed and an assessment of effects and mitigation requirements, to address any adverse impacts, presented in an update to the ES.</p>
Applicant Response	The Applicant notes the summary of principal issues identified by Natural England and refers it to the responses to REP1-087a to REP1-087u above.

## REP1-091 Bletsoes on behalf of Richard Bates & Janet Must

Reference Number	Written Representation/Applicant Response
REP1-091a	<p>We represent the interest of Richard Bates and Janet Must as landowners of land affected by the A428 scheme. On behalf of our clients, we are instructed to make written representations in addition to the representations made on 10th June 2021 via the Planning Inspectorate's website. Representations are made without prejudice to making further objections/representations at a later stage for different reasons, or to amplify these representations.</p> <p>We have reviewed the plans included within the Developer's application insofar as they relate to our client and these representations are based upon the information contained therein.</p> <p>The proposed scheme affects land owned by Richard Bates and Janet Must located to the west of Roxton Road on the north and south side of the A421, and land to the north of School Lane. Based on the information available this land has been identified as permanent acquisition.</p> <p>This land is located within close proximity to Chawston, where we believe there to be potential for residential development. The landowners are seeking to promote the site for development and are currently in discussions with a major PLC housebuilder. In addition we consider that there are minerals present which will ultimately need paying for and cannot simply be taken and not compensated for. As such, we believe that the land has increased value over and above agricultural value. Based on the information available the majority of this land is only required for the construction phase, therefore there cannot be a compelling case in the public interest for this land to be acquired permanently, especially when you consider the increased land values highlighted above. Instead, the land should be acquired temporarily and reinstated to its former condition and level and returned to the landowners. We have had recent discussions with Highways England regarding the acquisition of this land, and Highways England have made comment that this land may be temporarily acquired through a lease. We hope that constructive discussions will continue to reach a satisfactory outcome.</p> <p>School Lane has also been identified as permanent acquisition. The Bates &amp; Must family own land to the north of School Lane which is being promoted for development. A development standard access needs to be incorporated in the scheme (a plan of the land and a design of the access has been sent to Ardent). We have had recent discussions with Highways England regarding School Lane, and we have received information from Ardent to confirm that School Lane will remain as an adopted highway, although part of it will be downgraded to a Public Bridleway, this means that our client will still be able to gain uninterrupted agricultural access, at all times, to access land farmed by the Bates &amp; Must family. Highways England have also confirmed that the access points off School Lane will be unaffected and will allow for safe and efficient operation when entering and exiting the agricultural fields</p>



Reference Number	Written Representation/Applicant Response
	<p>with heavy loads and restricted maneuverability such as tractors, sprayers and combines. We also impressed on Highways England the need that any retained land abuts the adopted highway. In respect of the 'Land Plans Regulation 5(2)(i) Sheet 1' we have requested further details on the size of reference point '1/16e' and '1/16f' as my client requires access through these points into the field to the north. Highways England confirmed that this access could be used to form a development access in the future. We are awaiting information/plans from Highways England to review the design and dimensions of this access. We hope that constructive discussions will continue with Highways England to reach a satisfactory outcome.</p> <p>Accommodation works will also be necessary due to the closure of School Lane. An irrigation pipe which currently goes under the road at the south side of School Lane will need to be maintained so that the land on the north side can be irrigated. The irrigation abstraction point will also need to be maintained.</p> <p>We require further details on the proposed accommodation works to ascertain the full impact on my client's interest. As a minimum, our client requires, post scheme land drainage, and fencing and hedge of boundaries to mitigate the detrimental affect of this scheme. Any Basic Payment Scheme Entitlements in respect of the land must also be kept by our client if relevant at the time of acquisition.</p>
Applicant Response	<p>The Applicant can confirm that a plan including details on dimensions of the proposed access off School Lane was sent on 13 September 2021 to the landowner The Applicant has requested further detail on the gate specification to understand what the landowner requires, this remains outstanding. The Applicant has also issued a private Position Statement document on 17 September 2021 to the interested party setting out the points that have been raised and the Applicant's current position, a further meeting has also been proposed by the Applicant and confirmation of this is awaited. The Applicant hopes to reach agreement over the points of objection through continued engagement with the interested party.</p>

## REP1-092 Wilkin Chapman LLP on behalf of The Bedfordshire and River Ivel Internal Drainage Board

Reference Number	Written Representation/Applicant Response
REP1-092a	<p>We act for our above client, which as an Internal Drainage Board is a public body. The Board is affected by the provisions contained in the draft DCO in respect of the A428 Black Cat to Caxton Gibbet Road Improvement scheme.</p> <p>We have reviewed the draft DCO and in particular Part 3 of Schedule 9. The Board is concerned that:</p> <ol style="list-style-type: none"> <li>1. We raised the following initial queries with the solicitors acting for Highways England on 3 June 2021 but have not received a substantive response: <ol style="list-style-type: none"> <li>a. The 28 day deemed approval notice period at paragraph 20(3) (c) is far too short. Our above client requests the full 8 week notice period as per the period being allowed to the Environment Agency? Please could you also explain why the Environment Agency has a deemed refusal procedure under paragraph 20(3)</li> <li>b. whereas our above client has a deemed approval procedure under 20(3) (c)? b. You ensure that our above client will have sufficient access to the watercourses. We note the wording of paragraph 25, but the wording is couched in terms of flood defences and our above client must have good and sufficient access to the watercourses (for use with heavy vehicles and machinery) for the purposes of exercising its statutory powers.</li> </ol> </li> <li>2. We have requested a fee undertaking for the Board's legal fees in respect of agreeing the protective provisions, but this has not yet been provided.</li> <li>3. We note that in the "3.3 Consents and Agreements Position Statement" that Highways England state their intention to work collaboratively and that they see Statements of Common Ground with a variety of stakeholders as being a fundamental part of the DCO process. However the Board is concerned about the lack of engagement.</li> </ol> <p>The Board would welcome engagement Highways England so as to ensure that the disapplication of parts of the Land Drainage Act 1991 and the Board's byelaws is proportionate and that the substituted protective provisions in the DCO are appropriate so as to allow the Board to continue to manage flood risk.</p>

Reference Number	Written Representation/Applicant Response
Applicant Response	The Applicant has been engaging with (and will continue to engage with) the Bedfordshire and River Ivel IDB in ongoing discussions relating to the protective provisions. The Applicant has also responded to the Board's request for a fee undertaking and as of 16 September 2021 is waiting for a response from the Board to the Applicant's request for additional details to include in the undertaking. This was followed up again on 4 October 2021.

## REP1-094 Deloitte on behalf of The Church Commissioners for England

Reference Number	Written Representation/Applicant Response
REP1-094a	<p>1 LAND OWNERSHIP</p> <p>1.1 The Church Commissioners for England (CCE) purchased on 27 January 2021 the land shown edged red on the plan at Appendix 1. That acquisition is being registered at the Land Registry.</p> <p>1.2 Accordingly, the book of reference should be updated to reflect the fact that CCE are the freehold owners of what appears to be Plots 12/8a, 13/4h-k, 13/10a-e, 13/11a&amp;b (to be checked), 14/6b-e, 14/7a-c.</p> <p>1.3 The land is currently let to George and William Topham and is in agricultural use. It is likely to be promoted for future development given its proximity to Cambourne.</p> <p>1.4 In addition, CCE entered into an option agreement on 27 January 2021 with William, George and Deborah Topham relating to the land shown edged blue on the plan at Appendix 1. Accordingly, the book of reference should be updated to reflect the fact that CCE have an interest in Plots 13/12a &amp; b, 13/10f &amp; g, 14/6a and 14/6e.</p> <p>1.5 CCE reserve their position in respect of the various plots until the referencing has been confirmed by Highways England.</p> <p>1.6 These representations are made on behalf of CCE.</p> <p>2 OBJECTION</p> <p>CCE do not object to the principle of the proposed development. However, CCE object strongly to the use of compulsory purchase powers to deliver the proposed development.</p> <p>3 STATUTORY REQUIREMENTS &amp; GUIDANCE</p> <p>3.1 Section 122 of the Planning Act provides that a development consent order may only authorise compulsory acquisition if the Secretary of State is satisfied that:</p> <p>3.1.1 the land is required for the development to which the consent relates, or is required to facilitate, or is incidental to, the development, or is replacement land given in exchange under section 131 or 132; and</p> <p>3.1.2 there is a compelling case in the public interest for the compulsory acquisition.</p>

Reference Number	Written Representation/Applicant Response
	<p>3.2 The following requirements of DCLG's "Guidance related to procedures for the compulsory acquisition of land" September 2013 are of particular relevance.</p> <p>3.2.1 The applicant must demonstrate that all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored. The proposed interference with the rights of those with an interest in the land must be for a legitimate purpose, necessary and proportionate.</p> <p>3.2.2 The applicant must have a clear idea of how they intend to use the land.</p> <p>3.2.3 The Secretary of State must be persuaded that the purposes for which an order authorises compulsory acquisition are legitimate and sufficient to justify interference with human rights.</p> <p>3.2.4 Ignoring the potential for replacement land, to satisfy the first limb of section 122, the applicant must demonstrate to the satisfaction of the Secretary of State either:</p> <p>(a) that the land in question is needed for the development and is no more than is reasonably required for the purposes of the development; or</p> <p>(b) that the land is required to facilitate or is incidental to the proposed development – the example of landscaping is given, in which case the Secretary of State would need to be satisfied that the development could only be landscaped to a satisfactory standard if the relevant land were compulsorily acquired, and that the land to be taken is no more than is reasonably necessary for that purpose, and is proportionate.</p> <p>3.2.5 To satisfy the second limb of section 122, the applicant must persuade the Secretary of State that there is compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the private loss that would be suffered by landowners.</p> <p>3.2.6 There may be circumstances where the Secretary of State could reasonably justify granting development consent for a project, but decide against including compulsory acquisition provisions. For example, the Secretary of State may not be persuaded that all of the land which the applicant wishes to acquire compulsorily has been shown to be necessary for the purposes of the scheme.</p> <p>3.2.7 Applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail. Where proposals would entail the compulsory acquisition of many separate plots of land (such as for long, linear schemes) it may not always be practicable to acquire by</p>

Reference Number	Written Representation/Applicant Response
	<p>agreement each plot of land. Where this is the case it is reasonable to include provision authorising compulsory acquisition covering all the land required at the outset.</p> <p>3.2.8 Applicants are urged to consider offering full access to alternative dispute resolution techniques for those with concerns about the compulsory acquisition of their land. These should involve a suitably qualified independent third party and should be available throughout the whole of the compulsory acquisition process.</p> <p>4 APPLICATION OF STATUTORY TESTS / GUIDANCE</p> <p>4.1 CCE wishes to enter into an agreement with Highways England that secures for Highways England the land and rights necessary to construct and maintain the scheme. Indeed, Highways England has informed CCE that it is in discussions with a number of landowners regarding acquisition by agreement. CCE is in discussions with its tenant regarding such an agreement and the matters raised below.</p> <p>4.2 In the circumstances, and taking into account the adverse impacts on CCE's ownership should compulsory acquisition proceed:</p> <p>4.2.1 the use of compulsory powers is not necessary and there is no compelling case in the public interest; and</p> <p>4.2.2 there is a reasonable alternative to compulsory acquisition.</p> <p>4.3 Highways England must seek to acquire the land by negotiation. Attempts to acquire by agreement have not failed. Conclusion of an agreement with CCE is practicable. Alternative dispute resolution should be available if negotiations failed, but CCE see no reason why that should be required.</p> <p>4.4 In any event and critically, CCE are concerned that Highways England have not justified the breadth of the powers and land take sought. It is not possible for the Secretary of State to conclude that the powers sought are no more than is reasonably required.</p> <p>5 BASIS OF AGREEMENT</p> <p>5.1 CCE proposes that a Framework Agreement be entered into with Highways England to cover certain areas set out below.</p> <p>5.2 Permanent acquisition:</p>

Reference Number	Written Representation/Applicant Response
	<p>5.2.1 CCE acknowledges that permanent acquisition of Plots 12/8a, 13/10b, 13/11b (to be checked), 13/4j and 14/7a is likely to be required (together with Plot 13/10g in respect of the land subject to the option agreement).</p> <p>5.2.2 CCE are deeply concerned about the extent of Plot 14/6e, part of which is understood to be sought as a construction site and borrow pit. It is not considered that this extent of land take has been justified.</p> <p>5.2.3 Highways England have accepted in a meeting that the land subject to the borrow pit can be reinstated and returned to CCE. The grant of a lease to Highways England on appropriate terms requiring reinstatement has been discussed. CCE are ready, willing and able to help facilitate such arrangements through the Framework Agreement. There is therefore no compelling case for acquisition of the land.</p> <p>5.2.4 CCE note Highways England's explanation that Article 28 allows Highways England to simply acquire new rights over land rather than permanent acquisition. Whilst that may be beneficial to landowners, equally, it may not. The position as to permanent land take requires clarity which, in this case, can be resolved through discussions between CCE and Highways England.</p> <p>5.3 Temporary possession:</p> <p>5.3.1 CCE are concerned regarding the significant plots to be possessed temporarily (Plots 13/4h, 13/4i, 13/4k, 13/10a, 13/10c, 13/10d, 13/10e, 13/10f, 13/11a (to be checked), 14/6b, 14/6c, 14/6d, 14/7b, 14/7c and, in respect of land subject to the option, Plot 14/6a)). On the information available, it is not possible for the Secretary of State to conclude that the powers sought are no more than is reasonably required.</p> <p>5.3.2 In particular, Plots 13/10d, 13/10e, 13/4k and 14/6c are substantial plots and the justification for possession of such areas is questioned. Only 14 days' notice of entry is required which could have adverse implications for farming practice.</p> <p>5.3.3 Further, the right to take possession is extensive – Highways England has 5 years to do so and can remain in possession until 1 year from completion. The need for this additional period has not been justified. There are also rights to enter the land to maintain the works.</p> <p>5.3.4 At this stage, CCE remain unclear as to the intent of Article 40 (particularly Article 40(9)) in respect of the CCE land and require clarity in this regard.</p>



Reference Number	Written Representation/Applicant Response
	<p>5.3.5 A Framework Agreement could enable Highways England to access the above plots by licence in an agreed form in order to carry out the proposed development. This would enable the impact of the development to be properly understood, with a reasonable notice period and the impacts managed by CCE.</p> <p>5.3.6 CCE note that Plot 13/2c comprises part of the old road which is to be stopped up. That road is unregistered. Plot 13/10c would be permanently isolated from the remainder of CCE's land as a result. Whilst it may be the case that Plot 13/2c could be registered to CCE as adjoining landowner, that is subject to a presumption of ownership to the centre line that is rebuttable. Accordingly, there is no certainty that CCE would be registered as freehold owner. Further, the angular design of Plot 13/2c does not lend itself to clean application of the rule. CCE consider that Plot 13/2c should be acquired by Highways England and transferred to CCE as incidental to delivery of the scheme and avoid a potentially adverse impact and isolation of Plot 13/10c.</p> <p>5.4 Permanent rights:</p> <p>5.4.1 Highways England seek permanent rights over Plots 13/4h, 13/4i, 13/10c, 13/10d, 14/6b, 14/7b comprising: (a) broadly new rights for installation / maintenance / use of electric lines, cables, equipment and apparatus for utilities; (b) the right to pass over the land with / without vehicles and plant; and (c) restrictive covenants to protect the apparatus from excavation and to prevent access to that apparatus being made materially more difficult.</p> <p>5.4.2 The securing of such broad rights over the specified plots is likely to adversely affect the ability to farm and the future development potential of such plots and is neither justified nor necessary. It is understood that the broad rights over and extent of Plots 13/10d and 13/10c in particular results from the detailed design of utilities not yet being completed. The lack of detailed design is not adequate justification.</p> <p>5.4.3 CCE are prepared to work with Highways England through the Framework Agreement to facilitate the granting of appropriate rights as necessary once detailed design has been established. The use of powers of compulsory acquisition is disproportionate and is not justified. This is particularly the case given the lack of clarity around Article 28.</p> <p>5.5 Other:</p> <p>5.5.1 CCE are prepared to enter into licences with Highways England to permit them to access the land for surveys, investigations etc. There is no justification for use of powers of compulsory purchase.</p>

Reference Number	Written Representation/Applicant Response
	<p>5.5.2 This is of particular concern to CCE given the extremely broad power sought in Article 23(1)(b) such that Highways England seek rights over land adjacent to the Order limits for survey or investigations, including excavations and retention of apparatus. The extent of this power is not justified.</p> <p>5.5.3 In acquiring land and exercising their rights, Highways England should be obliged to act reasonably having regard to farming practice. The landowners' experience to date is that, too often, Highways England fail to have regard to crop cycles even for non-time critical work and conversations about compensation are difficult.</p> <p>5.5.4 In particular, compensation should be paid if a farmer fails to plant crops as a result of Highways England's anticipated programme, where that programme subsequently changes such that access is not required. Further, Highways England should be obliged to maintain land under its control free of weeds, so that adjacent land is not adversely affected. It is understood that these concerns have been raised by those farming the land as a result of experiences to date.</p> <p>5.5.5 CCE invite clarification from Highways England as to the precise impact of reference to "land ... adjacent to the Order limits" in Article 4(2) in the context of the CCE land.</p>
Applicant Response	<p>1.2 The Applicant notes the comments regarding land ownership and the Book of Reference, and are aware of the changes to be made. This has been updated in our live document and the changes will be reflected in the next version to be submitted during examination.</p> <p>5.2.2 The Applicant considers that larger and shallower borrow pits offer a more efficient means of material extraction than a smaller but deeper borrow pit. Shallower extraction allows for simpler management of groundwater and safer maintenance of cutting slopes. The intention is to return all of the borrow pits to agricultural use and this is simpler and more effective with shallow excavations. The larger borrow pit area will help mitigate associated risks with the quantities of unsuitable material encountered within the borrow pit and the quantities of available backfill material won from the Scheme.</p> <p>5.2.3 The Applicant is willing to discuss entering into a private agreement for land required both permanently and temporarily. The Applicant has met with the affected party to discuss the project in more detail, in particular discussing the Framework Agreement mentioned in 5.4.3 above, clarifying the position in relation to some of the proposed clauses. The most recent meeting took place on the 17<sup>th</sup> September 2021. The Applicant will continue to engage with the CCE to reach agreement. The Applicant is also in the process of preparing a</p>

Reference Number	Written Representation/Applicant Response
	<p>private Position Statement to share with the CCE setting out the current position in regards to their points of objection.</p> <p>5.3.1 The Applicant refers the CCE to the Statement of Reasons <b>[APP-030]</b> for details of and justification for the need of the various plots identified. The extents of the plots required for temporary possession have been determined by the buildability contractor who are a competent contractor with experience of schemes of similar scale and an understanding of the minimum land required to construct the works safely and efficiently.</p> <p>5.3.4 Article 40 relates to temporary possession (TP). It allows TP of all land authorised for permanent acquisition ahead of vesting. It also allows the TP of land only – with no other interests to be acquired as well as TP of land with the ability to acquire permanent rights over that land – only if listed in the dDCO <b>[APP-025]</b>. In so far as it relates to this IP, TP can be taken over the parcels as listed in the Book of Reference <b>[APP-032]</b> and on the land plans <b>[APP-008]</b> sheets 12 and 13 owned by this IP which acquired land in Jan 2021. Those plans identify which parcels of land can be subject to the 3 different types of land ether:</p> <ul style="list-style-type: none"> <li>a) Temporary possession and permanent acquisition.</li> <li>b) Temporary possession and new rights.</li> <li>c) Temporary possession only.</li> </ul> <p>Article 40(9) expressly precludes permanent acquisition of any land listed in Schedule 7</p> <p>5.4.2 The extent of land proposed for utility diversions allows some flexibility in the design of the diversion, however, the third-party rights will only be secured over the final/completed works.</p> <p>5.5.5 The Applicant refers the CCE to the response provided in the Applicant's Response to the Examining Authority's First Round of Written Questions <b>[REP1-022]</b> question Q.1.7.3.3 where a clear response is provided to the wording included within Article 4(2).</p>

## REP1-096 Bidwells on behalf of the Executors of N A Alington

Reference Number	Summary of Written Representation/Applicant Response
REP1-096a	<p>3 Representation 1 – Integration with East West Rail and development proposals</p> <p>3.1.1 The route selected severs the Estate disrupting the main estate business. The Executors are aware of other representations by Central Bedfordshire and Bedford Borough Councils which seek to ensure sustainable modes of travel are incorporated in the design of the scheme so as not to prejudice due process in the consideration of housing and employment growth options for those authorities.</p> <p>3.1.2 The Executors support CBC/BBC representations in respect of seeking a segregated cycle lane on the Barford Road including on the overbridge, north-south pedestrian and cycle paths adjacent to the East Coast main line under the A428 improvement, and confirmation that the status of the A428 does not prohibit new junctions on to the new road in the future. Disregarding these creates the probability of future disruption to the Estate.</p>
Applicant Response	The Applicant notes the comments and would refer the Interested Party to the Applicant responses to the local authorities' written representation for Deadline 1 [RR-008ai].
REP1-096b	<p>4 Representation 2 - Acquisition proposal: temporary and permanent land take</p> <p>8.1.2 The Executors prefer that only the land falling with the roadside fencing boundary and used for the road and accompanying structures is permanently acquired, with all other land being taken on a temporary basis and returned to estate ownership on completion of works.</p>
Applicant Response	A further review of all temporary and permanent land take will be undertaken during detailed design. Where interests taken can be reduced this will be reflected in the GVD notice served and accompanying plans.
REP1-096c	<p>5 Representation 3 - Severance of the Farm and Proposed Overbridge Specification</p> <p>8.1.3 The proposed overbridge is of insufficient capacity to allow unrestricted use by current farm machinery, impeding the efficiency of the farm. The principle of providing no more than equivalent capacity does not allow for the changes in farming practices, which historically have led to larger farming units operating larger farm machinery. It has no regard to possibly alternative or additional uses. Failure to do this would leave the</p>

Reference Number	Summary of Written Representation/Applicant Response
	Executors in a worse position than currently, in a manner that cannot readily be dealt with by financial compensation. A wider capacity bridge is required.
Applicant Response	<p>The Applicant notes the Interested Party's Written Representation including the types of machinery used at Top Farm. The Applicant will consider the justification for a wider structure and the impacts this will have on the operation of the farm.</p> <p>Letter dated 16<sup>th</sup> September 2021 from Code Development partners on behalf of the Executors presents new information to the Applicant. This indicates that the land proposed to be served by the bridge is being promoted for development and a new junction is desired as part of that development. Urgent discussions are required with the Executors representatives.</p>
REP1-096d	<p>6 Representation 4 - Land take and environmental mitigation</p> <p>8.1.4 There are extra and additional areas of woodland planting or environmental offset on good quality arable land that are better located elsewhere – and the Estate is providing areas of mitigation planting in other locations.</p>
Applicant Response	<p>This section of the Scheme traverses the Local Landscape Character Area (LLCA) 06: Alington Hill Clay Farmland. The character of the area is summarized in Appendix 7.3 of the Environmental Statement [APP-181] as a “<i>well-wooded arable farmland lies on elevated ground to the east of Little Barford. It comprises scattered, mixed woodland blocks, mature shelterbelts and hedgerows providing a strong wooded character to the skyline. The area is quiet and remote, with settlement restricted to a few isolated farmsteads and access limited to unmarked tracks and a minor road to Potton.</i>”</p> <p>The planting proposed forms part of the holistic environmental mitigation package and its location is to achieve functional blocks of woodland for wider landscape integration and visual screening. This integration will be achieved by connecting and, where needed, reconnecting pieces of habitat severed by the Scheme or isolated within the landscape. As such, given the essential nature and intended purpose of this landscape mitigation within the parcels of land identified by the interested party, the Applicant is unable to remove or relocate the planting as noted within <b>REP1-096</b>.</p>

Reference Number	Summary of Written Representation/Applicant Response
REP1-096e	<p>7 Representation 5 – Drainage</p> <p>8.1.5 The impact on the farm drainage system is not readily determinable from the supporting documents, and the design and provision of a scheme to mitigate the impact needs to be agreed and implemented before the works commence, not on conclusion.</p>
Applicant Response	<p>The preliminary design of Scheme highway overland ditches has been assessed based on the local natural catchments specific to the overland ditches and not a 42ha watercourse catchment. Watercourse catchments have been assessed separately within the Ordinary Watercourse Modelling Report <b>[APP-222]</b>. The Applicant considers the Order limits of the Scheme are sufficient to capture local drainage features such as land drains.</p> <p>Any impacts on the existing land drainage systems both as a direct consequence of the scheme (as referred to above) or as a result of construction activities will be dealt with as part of the detailed design and implemented by the Principal Contractor.</p> <p>The individual needs of each land parcel will be considered by the Applicant during the detailed design stage.</p>

## REP1-098 Travelodge Hotels Limited

Reference Number	Written Representation/Applicant Response
REP1-098a	<p>We refer to the Relevant Representations made by Travelodge Hotels Ltd (Travelodge) on 9th June 2021.</p> <p>Travelodge's position is substantially set out in the Relevant Representations. The Applicant has said in their view it will be reasonably necessary to extinguish the Travelodge hotel at Blackcat Roundabout.</p> <p>Subsequent to the submission of the Relevant Representation, Travelodge has invited the Applicant to make a proposal to avoid the need for compulsory purchase. Travelodge awaits hearing in response to this invitation.</p> <p>In the meantime the Applicant is seeking to rely on S.172 of the Housing and Planning Act 2016 to undertake ground investigations over a significant area of Travelodge's car park. We invite the Applicant to instead seek to reach reasonable terms by agreement commensurate with the possession of land in commercial use. This would contribute to a constructive dialogue more likely to achieve progress than recourse at the first resort to applying compulsory powers.</p>
Applicant Response	<p>The Applicant has responded to the Interested Party's Relevant Representation as set out within the Applicant's Response to Relevant Representations <b>[REP1-021]</b> submitted at Deadline 1.</p> <p>The Applicant has requested information on Travelodge's trade accounts. Until this information has been received, the Applicant is not in a position to put forward an offer by agreement. The Applicant sent a draft option agreement to Travelodge's agent on 10 September 2021 to ascertain if they are interested in discussing acquisition of the site on that basis. Discussions remain ongoing.</p>



## REP1-099 Foot Anstey on behalf of Welcome Break Services Limited

Reference Number	Written Representation/Applicant Response
REP1-099a	<p>Summary of issues and matters agreed</p> <p>Welcome Break Services Limited ("Welcome Break") are broadly supportive of Highways England's application for development consent (the "Application") for the A428 Black Cat to Caxton Gibbet Road Improvement scheme (the "Scheme"). The key issues which summarise those matters set out in Welcome Break's Relevant Representation and in this Written Representation, being the matters which otherwise lead to Welcome Break objecting to the Application and the Scheme are:</p> <ul style="list-style-type: none"> <li>The inconvenience to road users caused by the revised egress from the Wyboston Service Area ("WSA") to the A-road;</li> <li>The extent to which trade at the WSA will be interfered with;</li> <li>The failure of the applicant to meet the Scheme objectives and national policy objectives;</li> <li>The applicant's failure to consider viable alternative proposals;</li> <li>The applicant's failure to meet the statutory tests for compulsory purchase powers in relation to the Engagement with Highways England and alternative proposals</li> </ul> <ol style="list-style-type: none"> <li>1. Welcome Break engaged with the applicant during the pre-application stage of the Application with a view to ensuring that it is fully informed of the impact of the Scheme on Welcome Break's business, particularly as a result of permanent infrastructure changes (as opposed to interference or inconvenience during the construction of the Scheme), primarily being the impact of the revised egress from the WSA to the A-road.</li> <li>2. As set out in Welcome Break's Relevant Representation the egress from the WSA will be replaced with a 1km 30mph service road which will not directly join the A-road but will instead run to the roundabout to the south of the WSA. No traffic lights are proposed at the roundabout making phasing of traffic difficult for visiting members of the public who are leaving the WSA. The outcome of this is that WSA will generally be less commodious for visiting members of the public and the egress in particular will be a material and unwelcome change. This will impact on both the quality of the services experience for visiting members of the public and materially impact Welcome Break's business and that of its tenants.</li> <li>3. We have addressed this further below, however for the purposes of this section of the Written Representation the key point is that despite Welcome Break's efforts to engage with the applicant and</li> </ol>

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	<p>present technically viable alternative proposals for the design of the egress which would be more commodious to visiting members of the public and maintain or improve the quality of their journey, informed by Welcome Break's considerable experience in operating motorway service stations, the applicant has failed to acknowledge or seek to address Welcome Break's concerns or to properly investigate any such alternative arrangements.</p> <p>4. Despite the applicant meeting the statutory minimum required in terms of consultation and engagement with interested parties, it has not sought to engage in a meaningful discussion or to address either at the pre-application or since, including in the Application documents, either the impact of the proposed egress on Welcome Break and its tenants' businesses or the impact on journey quality for visiting members of the public or consider the viable alternatives presented to it.</p> <p>DMRB guidance</p> <p>5. Although not set out in the Application documents, we understand that the applicant has disregarded proposed alternatives for the egress at WSA as these proposals would be departures from the Standard. However, several of the applicant's own proposals within the wider Scheme are departures from the Standard. Departures are permitted in a number of circumstances including where features on site make it advantageous to do so or where following the Standards would have unintended and undesirable consequences. The applicant has failed to address why it has permitted departures in relation to its own proposals but not for those of third parties such as Welcome Break particularly where such a departure would be relevant to achieving policy objectives (see further below).</p> <p>Relevant policy considerations</p> <p>6. The summary of needs at Section 2 of the National Policy Statement for National Networks (the "NPS") states that the Government's vision and strategic objectives for the national networks includes networks which support and improve journey quality, reliability and safety. The NPS fails to expand on this particular point, however it must be the case that service areas are a critical aspect of journey quality and any impact on service area businesses that make them less attractive services to road users would be contrary to and cut-across the Government's strategic objectives.</p> <p>7. Paragraph 4.31 of the NPS states that "a good design should meet the principal objectives of the scheme by eliminating or substantially mitigating the identified problems by improving operational conditions and simultaneously minimising adverse impacts". Paragraph 4.33 states that "the applicant should therefore take into account, as far as possible, both functionality (including fitness for purpose and sustainability) and</p>

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	<p>aesthetics". Further, paragraph 4.35 states that "applicants should be able to demonstrate in their application how the design process was conducted and how the proposed design evolved". The applicant has not followed the policy statements in terms of its approach to the WSA. It has not presented any evidence or information in the Application documents that demonstrates that the design of the revised egress from the WSA meets the principal objectives and has either failed to have regard or disregarded without due justification proposed alternatives to the design that relate to functionality and fitness for purpose.</p> <p>8. Although the policy statements in paragraphs 4.31, 4.33 and 4.35 of the NPS will typically relate to a scheme in its entirety, the fact of the matter is that schemes such as the Scheme which is the subject of the Application are made up of several distinct features and design proposals, each with separate characteristics and purposes but which jointly achieve an overall objective. The changes to the egress of the WSA are one such feature and design proposal. A failure to address the policy consideration in relation to any one aspect of a scheme need not be fatal to the merits of its entirety but neither does a failure to properly address or engage with policy objectives in relation to any one aspect make that aspect acceptable simply because other aspects of the scheme do.</p> <p>Applicant's objectives and justification for the Scheme</p> <p>9. Paragraph 2.2.1 of document 1.2 "Introduction to the Application" sets out the applicant's objectives for the Scheme. These include "c. Economic growth: Enable growth by improving connections between people and jobs and supporting new development projects" and "g. Customer satisfaction: Listen to what is important to our customers to deliver a better road for everyone and improve customer satisfaction". Table 5-1 of document 7.1 "Case for the Scheme" sets out that one of the strategic objectives of policy is to "support and improve journey quality, reliability and safety". However, the corresponding comment on conformity with policy does not address services such as WSA, it is focussed almost exclusively on traffic flow, journey times and safety, neither has any evidence been presented by the applicant that it has taken into consideration the impact of changes to the egress to the WSA on the objectives of the Scheme, particularly customer satisfaction.</p> <p>10. In Welcome Break's experience as a motorway service area operator an important aspect of the value of such services to the quality of the journey of members of the public is the close proximity to the A-road or motorway of the services and the ease with which they are able to both enter and exit the service area and return to that same road. The absence of evidence in the Application documents that the applicant has considered this or targeted its consultation questions at discovering the level of value placed on such</p>

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	<p>convenience indicates that the Scheme is ill-conceived. Such evidence would also be relevant to the economic impact of the Scheme on the services and their ongoing viability including as a local employer. Consequently, the applicant is not able to demonstrate that its objectives will be met. The focus of the Application is on the highway to the exclusion of those uses that are nevertheless relevant to the Scheme such as the WSA.</p> <p>11. In paragraph 2.2.5 of document 4.1 "Statement of Reasons" the applicant states that the Scheme is required for three key reasons being network safety, to relieve congestion and to enable economic growth. Paragraph 2.5.3 of that same document states that "in relation to the land required for the Scheme, the Applicant has taken into account all requests for changes to the Scheme arising as part of the consultation". The key reasons for the Scheme fail to account of the role of other land uses such as the WSA in delivering some of the key objectives. Notably paragraph 4.3 of document 4.1 the "Statement of Reasons" in relation to "existing land use and character" fails to identify the WSA as a key land use and part of the road network. This failure has led to the Scheme undermining both the Scheme objectives and the key reasons for it in so far as it impacts on the WSA. The applicant has clearly not taken into account Welcome Break's proposed alterations to the Scheme contrary to its statement in relation to the land required for the Scheme.</p> <p>12. Paragraph 5.2.2 of document 4.1 the "Statement of Reasons" identifies the statutory tests for compulsory purchase which include that there is a compelling case in the public interest for the land to be acquired compulsorily" and paragraph 5.2.5 of that same document further sets out general considerations which include "a) tha</p>
Applicant Response	<p>The Applicant has responded to the issues raised by the Interested Party in the Applicant's Response to Relevant Representations <b>[REP1-021]</b> submitted at Deadline 1. In terms of acknowledging or addressing the Interested Party's concerns, the Applicant has met with them on two occasions to discuss their concerns, 12 July 2019 and 15 January 2020, both in person meetings at AECOM offices in Bedford. After the meeting on 15 January 2020 a follow up email was sent on 3 March 2020 outlining the decision regarding the design of the service station slip road, attaching an extract report for further information. The email also followed up on the query in relation to whether a land swap can take place. The Applicant offered in the email to meet again but has not heard any further from the Interested Party. Since the email in March 2020 the Applicant has sent further correspondence relating to Supplementary Consultation and the formal s.56 process.</p>

## REP1-100 The Woodland Trust

Reference Number	Written Representation/Applicant Response
REP1-100a	<p>As the UK's leading woodland conservation charity, the Woodland Trust aims to protect native woods, trees and their wildlife for the future. We own over 1,000 sites across the UK, covering around 29,000 hectares (71,000 acres) and we have over 500,000 members and supporters.</p> <p><u>Veteran trees</u></p> <p>Natural England's standing advice on veteran trees states that they "can be individual trees or groups of trees within wood pastures, historic parkland, hedgerows, orchards, parks or other areas. They are often found outside ancient woodlands. They are irreplaceable habitats with some or all of the following characteristics... A veteran tree may not be very old, but it has decay features, such as branch death and hollowing. These features contribute to its biodiversity, cultural and heritage value."</p> <p>The proposed scheme will result in the loss of a group of veteran cherry plum trees recorded as G61 within the Arboricultural Impact Assessment Report <b>[APP-183]</b>. Therefore, the Trust would like to lodge an objection to this application.</p> <p><u>National planning policy and guidance</u></p> <p>The National Planning Policy Framework, paragraph 180 states: "When determining planning applications, local planning authorities should apply the following principles: c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>63</sup> and a suitable compensation strategy exists;"</p> <p>Paragraph 5.32 of the National Policy Statement for National Networks states: "The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss. Aged or veteran trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals, the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons for this."</p>

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	<p>Natural England's Standing Advice for protecting veteran trees is as follows: "A buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter."</p> <p><u>Impact of proposals</u></p> <p>The following scheme will result in the direct loss of a group of veteran cherry plum trees. It is essential that no trees displaying ancient/veteran characteristics are lost as part of the development. Any loss of veteran trees would be highly deleterious to the wider environment of veteran trees within close proximity, which may harbour rare and important species.</p> <p>Furthermore, as outlined in our relevant representation [RR-111], we would appreciate clarity on the Root Protection Area (RPA) afforded to T311, a veteran elm adjacent to the proposed scheme that is also recorded on the Ancient Tree Inventory (ATI no: 189122).</p> <p>We note within the Arboricultural Impact Assessment that "T311 has been provided an increased RPA of 15 times the trunk diameter, as set out in Veteran Trees: A guide to good management (Ref 1-12)." However, Sheet 35 of the Tree Protection Plan [APP-186] denotes T311 with an RPA in line with the BS:5837:2012, which is usually calculated at 12 times the stem diameter. We ask that confirmation of the size of the RPA afforded to T311 is provided.</p> <p><u>Conclusion</u></p> <p>In summary, the Woodland Trust requests that the veteran trees within G61 are retained and afforded a Root Protection Area (RPA) in line with Natural England's Standing Advice, and that further clarity is provided with respect to the protection of T311.</p> <p>The Trust will remain opposed to the proposed project unless the scheme is revised to address our concerns. We consider the scheme is currently in direct contravention of national planning policy due to the loss and damage to irreplaceable habitats.</p>

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Applicant Response	<p>The Applicant has responded to the Woodland Trust's queries as set out within the Applicant's Response to Relevant Representations <b>[REP1-021]</b> submitted at Deadline 1. Responses RR-111a and RR-111b <b>[REP1-021]</b> cover the points regarding veteran trees and the confirmation of the root protection area (RPA) for T311.</p> <p>Following clarification through continued dialogue between the Woodland Trust and the Applicant on the above matters, the Woodland Trust confirmed in writing on 8 September 2021 to the Inspectorate that it wishes to withdraw its objection to the Scheme <b>[AS-012]</b>.</p>



## REP1-102 Savills (UK) Limited on behalf of Woodthorpe Hall Garden Centres Limited

Reference Number	Written Representation/Applicant Response
REP1-102a	<p><b>2.</b> Loss of car parking</p> <p>2.1 Plot 1/40a comprises the majority of the field to the northeast side of Roxton Garden Centre, which is used predominantly for customer car parking at peak times. During our meeting with Highways England and the project team, we were informed that the purpose of this possession is for temporary storage. Whilst the length of occupation was said to be likely to be kept to a minimum, we were informed that this area will be required for the duration of the construction works. At the time of the discussion the detailed construction programme was not yet confirmed, but we were advised that this is expected to be for a period of approximately 3.5 years.</p> <p>2.2 This car parking area is used by customers on a regular basis and ensures that no customers have to be turned away due to lack of safe car parking facilities. The loss of this car parking for such a long period will mean that during busy periods (typically Fridays – Sundays, bank holiday weekends and school term breaks) the garden centre will not be able to accommodate their usual number of customers which will have a significant impact on business trade, or customers will park on the grass verges of Bedford Road, outside the property causing a dangerous traffic hazard.</p> <p>2.3 To mitigate this, alternative parking will need to be provided. This was raised during our meeting with Highways England alongside the suggestion of reconfiguration of the main car park to allow for the field to the south of the garden centre to be utilised for parking during the use of plots 1/40 a - c. There has been no further engagement from Highways England on this point.</p> <p><b>3.</b> Access to the garden centre</p> <p>3.1 The main entrance to the garden centre is via Bedford Road to the north of the site. This access road is included within land parcel 1/40a. Based on this, the access road will be within the area required for the temporary storage which will restrict or impede access to the garden centre by customers employees and tradespeople, as well as delivery lorries for the garden centre and the concessionaires on the site. This will have a direct impact on trade of the garden centre as well as the other concessions based on site.</p> <p>3.2 In order to avoid serious accident, injury and congestion it is important that a clear and safe access route from Bedford Road to the garden centre and main car park is maintained at all times.</p>

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	<p><b>4.</b> Use of the garden centre entrance by construction traffic</p> <p>4.1 As mentioned above, the garden access road is included within plot 1/40a. This will give construction traffic the rights to use this entrance and include the entrance and access road within their storage area. Not only does this present logistical issues for the garden centre, but also health and safety concerns for their employees and customers.</p> <p>4.2 During our meeting with the project team, we were advised that the construction traffic will not use the garden centre entrance, and instead create a completely separate access from Bedford Road into Plot 1/40a. However, since this meeting we have had no further confirmation in writing or undertaking from Highways England that this will be the case. We request that the garden centre entrance and access road is removed from Plot 1/40a and that the area required for the road construction works within this plot is safely secured and fenced off to minimise any health and safety risks for the garden centre customers, employees and tradespeople alike.</p> <p><b>5.</b> Access to Gap Home Improvements</p> <p>5.1 As mentioned in our original relevant representation, one of the concessions based on site, Gap Home Improvements, is located to the rear of the garden centre, and their premises are accessed via a track which runs along the north-eastern edge of the garden centre, and is included within Plot 1/40a.</p> <p>5.2 Again, access and egress along this track needs to be maintained at all times for employees, customers, suppliers and tradespeople – the inclusion of this track within the construction storage area will mean that the potential exists for access to the business to be congested or restricted by interference with the track at any time. This could result in significant unnecessary disruption to the business. This matter was raised during our meeting with the project team and it was suggested that, as with the entrance to the garden centre, this track could be removed from Plot 1/40a. This will alleviate this our client's concern, however, we have had no further confirmation in writing from Highways England confirming that this is agreed.</p> <p><b>6.</b> Closure of Bedford Road</p> <p>6.1 We note that some of the construction will require works on Bedford Road. The garden centre's only public vehicular access is off Bedford Road, and so any closures will have an impact on customers being able to visit the garden centre and subsequent potential loss of trade. During our meeting with the project team, we were informed that they do not intend to fully close both lanes of Bedford Road during the road construction. However, if a situation arises where the road does need to be closed, we request that Highways England</p>

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	<p>are directed that this is kept to night-time hours, or outside of the garden centre's trading hours, so as to minimise any impact on trade. It is expected that a high level of construction works along the road and in the area will already have an impact on passing traffic customers, but to mitigate this, we request that Highways England stay in communication with the garden centre, notifying them of all works along Bedford Road, so that mitigation measures can be put in place to reduce the impacts on the business, such as signage, planning of deliveries, etc.</p> <p><b>7.</b> Security concerns</p> <p>7.1 In its existing layout, the ownership of the garden centre is bounded by hedgerows, fencing or other private land. There are currently no public roads along any of the boundaries without being separated by some sort of secured border. Despite this, there have historically been security breaches through the field to the northeast, via the padlocked gate.</p> <p>7.2 The current proposals show a new access road for the Kelpie Marina, running along the northern boundary of the garden centre. We understand, from our meeting with the project team, that there are currently no proposals or designs for any boundary fence to be erected along this road. This presents a clear security risk for the garden centre as the Kelpie Marina access road will be open to the public, leaving the entire northern boundary of the site open and accessible at all hours. We request that with the construction of this new road, sufficient fencing is erected along the boundary between the road and the garden centre, which will alleviate our client's security concerns.</p> <p>7.3 Our clients would also require assurances that any compounds and storage facilities on the land at plots 1/40a, 1/40b and 1/40c were sufficiently secure, not to give rise to further possible security breaches, which may have a knock on effect on our client's premises.</p> <p><b>8.</b> Borehole</p> <p>8.1 Due to the nature of its trade, the garden centre uses a significant amount of water, which is extracted from the ground using a borehole with a submersible pump, located at the front of the garden centre, close to the public entrance. This borehole is fully licenced by the local water company for water abstraction. The significant construction works at the Black Cat roundabout have the potential to impact on the water table in the area, which could therefore affect the level of useable water the borehole is able to extract. This could result in costs being incurred by the garden centre in either extending or relocating the borehole, or having to switch to mains supply for all their requirements which is likely to be more expensive.</p>

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	<p>8.2 This concern was raised with the project team during our meeting and the team stated that the assessment on the impacts on ground water levels are ongoing. This will need to be managed as a sudden lack of water could have a significant impact on the garden centre.</p> <p>9. Moving forward</p> <p>9.1 The above concerns are all matters which can be easily resolved through communication and an agreed undertaking from Highways England. Whilst we have had one meeting with the project team where all of these points were raised and discussed, we have since had limited engagement from them, despite a number of requests for follow up meetings.</p> <p>9.2 Given the lack of response we have received, we have drafted a set of Heads of Terms for an undertaking covering the above points, which will be shared with Highways England imminently. During our meeting, Highways England seemed open to agreeing to an undertaking covering the various points, however the lack of follow up has meant that we have felt it necessary to submit a further written representation.</p> <p>9.3 We encourage Highways England to engage with us and agree to an undertaking, which will remove any concerns our client has and therefore the requirement to appear at any future hearing. However, in the absence of any such undertaking from Highways England we would ask the Examining Authority direct Highways England to enter into an undertaking agreement with our clients covering all of the above matters to our client's satisfaction.</p>
Applicant Response	<p>8. Roxton Garden Centre is located near the south western extremity of the Scheme at approximate NGR TL 151548. It is understood that a borehole at the garden centre is used for watering plants and other operations at the site. Whilst the representation indicates that the borehole is fully licensed, it is not included in the list of licences provided by the Environment Agency for abstractions in the vicinity of the Scheme. It is possible that this is because the source uses water at a rate below 20m<sup>3</sup>/day where an abstraction licence is not required. In the apparent absence of an abstraction licence, there is no information on the borehole, such as depth, diameter etc.</p> <p>9. Plot 1/40a is required to provide temporary storage, laydown areas, access and working space to facilitate the construction of the combined Kelpie Marina access track and realigned Bedford Road. The Applicant is committed to providing overflow car parking adjacent to the access track and will continue to engage with the Interested Party.</p>

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	<p>10. The Applicant does not intend to possess the entrance to the garden centre nor the access track to the east for temporary storage, laydown area or working space. The Applicant proposes to possess this land to enable access to the south-east for the overhead power cable diversion. The Applicant is committed to maintaining access for the garden centre and its visitors.</p> <p>11. It is not the Applicant's intention to use the access to the garden centre for the construction traffic of the Bedford Road and combined Kelpie Marina access. However, the Applicant intends to use the access track for the diversion of the overhead power cable to the south-east only.</p> <p>12. Please refer to the Applicant's comments on points 3 and 4 pertaining to the access track to Gap Home Improvement.</p> <p>13. The Applicant confirms that during construction, contacts and communication channels between the garden centre and the stakeholder engagement team will be established. The Applicant confirms that the garden centre will be kept informed in advance of the construction programme and any likely impacts, in order to minimise disruption or inconvenience to the garden centre and to its customers and associates.</p> <p>14. Detailed requirements of accommodation works, including fencing, will be finalised at detailed design by the Principal Contractor and in consultation with the landowner. Annex K Construction Compound Management Plan of the First Iteration Environmental Management Plan [APP-234] sets out the measures that will be taken by the Principal Contractor to manage the Scheme's main site compounds and satellite compounds, including site security, set out at Section 1.5.</p> <p>15. There are two water-bearing units beneath the surface of the garden centre – the surface River Terrace Deposits and the deeper Kellaways Sand, either of which could be the source exploited by the borehole. If the source is the Kellaways Sand, the borehole will not be impacted by the Scheme as no element of the Scheme will intercept the Kellaways Sand, which is present below the Oxford Clay at a depth of 22m - 25m in this area.</p> <p>If the borehole abstracts from the shallow River Terrace Deposits, this is the same deposit that will be excavated to form the A1 Black Cat Underpass, which is located approximately 1km to the north east of the site. Groundwater in the River Terrace Deposits flows in a generally north easterly direction beneath the garden centre towards the Rockham Ditch and the River Great Ouse. Therefore, the borehole is up hydraulic gradient of the Scheme.</p> <p>The proposed design for the A1 Black Cat Underpass includes the construction of a barrier to groundwater flow to prevent groundwater from the River Terrace Deposits entering the cutting, which extends below the base of</p>

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	<p>the River Terrace Deposits. No significant groundwater dewatering is proposed for the underpass during construction and operation. As the borehole is up hydraulic gradient of the cutting and as no significant dewatering is proposed, it is considered that the groundwater level beneath and the borehole at the garden centre will not be impacted by the construction of the cutting at the A1 Black Cat Underpass.</p> <p>The garden centre is also located approximately 570m south of borrow pit A. Borrow pit A will be excavated into the River Terrace Deposits and dewatering of the aquifer will be undertaken to facilitate material extraction. An assessment of the impact of the dewatering of the River Terrace Deposits at the borrow pit has shown that the maximum radius of effect of the dewatering will extend approximately 300m from the edge of the pit. As the Rockham Ditch lies between the borrow pit and the garden centre, this will provide a recharge boundary restricting impacts to the south (towards the garden centre) and the radius of impact will be less in this direction. As the garden centre borehole is located beyond the zone of dewatering influence associated with borrow pit A, it is considered that the groundwater level in the borehole source will not be affected by the Scheme.</p> <p>In summary, the Applicant considers that the borehole source at Roxton Garden Centre will not be adversely impacted by the construction and operation of the Scheme</p> <p>16. The Applicant is committed to continuing engagement on the above matters.</p>